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Thursday
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Highlights

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11459 **Honoring the Memory of Walt Disney** Presidential proclamation

11470 **Income Tax** Treasury/IRS provides final rules on procedure and administration relating to allowable disclosure or use of tax return information by tax return preparers; effective 1-1-72

11468 **Income Tax** Treasury/IRS releases regulations that exclude certain persons from the definition of income tax return preparer

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Presidential Documents

Title 3—

The President

Proclamation 4724 of February 19, 1980

Iwo Jima Commemoration Day

By the President of the United States of America

A Proclamation

Thirty-five years ago Americans were pitted in battle on a small, barren island called Iwo Jima. The standard of courage established by the men of the V Marine Amphibious Corps in that battle is unsurpassed.

Because we now enjoy the blessings of the freedom for which those men sacrificed so much, it is appropriate for us to reflect upon the high price of that freedom. For 35 days, men of the 3rd, 4th and 5th Marine Divisions fought to secure the strategic island of Iwo Jima. The cost of the eventual American victory was the highest in Marine Corps history: 5,931 dead and 17,272 wounded. Of the over 20,000 Japanese defenders on Iwo Jima, only 1,083 survived. But the victors and the vanquished alike shared uncommon valor as a common virtue.

The Congress has by Joint Resolution (H.J. Res. 469) designated February 19, 1980 as Iwo Jima Commemoration Day.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, do hereby designate Tuesday, February 19, 1980 as Iwo Jima Commemoration Day. I call on all Americans to join on this occasion in honoring those Americans who served on Iwo Jima. I call on State and local officials and private organizations to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of February, in the year of our Lord nineteen hundred and eighty, and of the Independence of the United States of America the two hundred and fourth.

Jimmy Carter

[FR Doc. 80-5615
Filed 2-20-80; 8:45 am]
Billing code 3195-01-M

Presidential Documents

Proclamation 4725 of February 19, 1980

Honoring the Memory of Walt Disney

By the President of the United States of America

A Proclamation

In the world of entertainment no name is more widely known than that of Walt Disney. For nearly fifty years, his creations brought us laughter and love, joy and gladness. The products of his imagination will enthrall and delight many more generations of children of all ages in every country on earth.

The House of Representatives, by a joint resolution of February 13, 1980, has requested the President to issue a proclamation honoring the memory of Walt Disney for his contribution to the American dream.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, do hereby call upon the people of this Nation to recall the accomplishments of Walt Disney and to honor his memory on February 19, 1980.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of February, in the year of our Lord nineteen hundred and eighty, and of the Independence of the United States of America the two hundred and fourth.

Jimmy Carter

[FR Doc. 80-5649
Filed 2-20-80; 10:41 am]
Billing code 3195-01-M

Rules and Regulations

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.
The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 907

[Navel Orange Regulation 481]

Navel Oranges Grown in Arizona and Designated Part of California; Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation establishes the quantity of fresh California-Arizona navel oranges that may be shipped to market during the period February 22–28, 1980. Such action is needed to provide for orderly marketing of fresh navel oranges for this period due to the marketing situation confronting the orange industry.

EFFECTIVE DATE: February 22, 1980

FOR FURTHER INFORMATION CONTACT: Malvin E. McGaha, 202–447–5975.

SUPPLEMENTARY INFORMATION: *Findings.* This regulation is issued under the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of navel oranges grown in Arizona and designated part of California. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). This action is based upon the recommendations and information submitted by the Navel Orange Administrative Committee, and upon other available information. It is hereby found that this action will tend to effectuate the declared policy of the act.

The committee met on February 19, 1980, to consider supply and market conditions and other factors affecting the need for regulation and recommended a quantity of navel oranges deemed advisable to be handled during the specified week. The committee reports the demand for navel oranges has eased slightly compared to the previous week.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking and postpone the effective date until 30 days after publication in the **Federal Register** (5 U.S.C. 553), because of insufficient time between the date when information became available upon which this regulation is based and the effective date necessary to effectuate the declared policy of the act. Interested persons were given the opportunity to submit information and views on the regulation at an open meeting. It is necessary to effectuate the declared purposes of the act to make these regulatory provisions effective as specified, and handlers have been apprised of such provisions and the effective time.

Further, in accordance with procedures in Executive Order 12044, the emergency nature of this regulation warrants publication without opportunity for further public comment. The regulation has not been classified significant under USDA criteria for implementing the Executive Order. An Impact Analysis is available from Malvin E. McGaha, Fruit Branch, Fruit and Vegetable Division, AMS, USDA, Washington, D.C. 20250, phone 202–447–5975.

§ 907.781 Navel Orange Regulation 481.

Order. (a) The quantities of navel oranges grown in Arizona and California which may be handled during the period February 22, 1980, through February 28, 1980, are established as follows:

(1) District 1: 1,320,000 cartons;

(2) District 2: 150,000 cartons;

(3) District 3: Unlimited cartons;

(4) District 4: 30,000 cartons.

(b) As used in this section, "handled", "District 1", "District 2", "District 3", "District 4", and "carton" mean the same as defined in the marketing order.

(Sec. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: February 20, 1980.

D.S. Kuryloski,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 80-5657 Filed 2-20-80; 11:39 am]

BILLING CODE 3410-02-M

7 CFR Part 989

Raisins Produced from Grapes Grown in California; Increased Payment Rates for Handler Services on Reserve Tonnage Raisins

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This rule increases the Raisin Administrative Committee's rates of payment to handlers for services performed with respect to reserve tonnage raisins held for the account of the Committee during and beyond the crop year of acquisition. The increased rates of payment are in line with the current costs of handlers in providing such services.

EFFECTIVE DATE: February 21, 1980.

FOR FURTHER INFORMATION CONTACT: James S. Miller, Acting Chief, Specialty Crops Branch, Fruit and Vegetable Division, AMS, USDA, Washington, D.C. 20250, (202) 447–5053.

SUPPLEMENTARY INFORMATION: This action, recommended by the Committee, would increase the Committee's current rates of payment to handlers for: (1) Receiving, storing, fumigating, and handling reserve tonnage raisins during the crop year of acquisition from $24 to $29 per ton; and (2) for storing, handling, and fumigating reserve tonnage raisins beyond the crop year of acquisition from $1.20 to $1.45 per ton for each month of the three-month period ending November 30, and from 60 cents to 75 cents per ton for each month of the next nine months. The current rates are contained in § 989.401(a)(1) and (b) of Subpart-Schedule of Payments (7 CFR 989.401) and have been effective since January 6, 1978. Since that time handler costs for all of these services have increased significantly.

Notice of proposed rulemaking on this matter was published in the **Federal Register** on January 22, 1980 (45 FR 4358). In that notice, interested persons were given until February 11, 1980, to submit written comments. None was received.

Section 989.401 is established under § 989.66(f) of the marketing agreement and Order No. 989, both as amended (7 CFR Part 989), regulating the handling of raisins produced from grapes grown in California (hereinafter referred to collectively as the "order"). The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). The Committee is the body established under the order to administer is terms and provisions under USDA supervision.

After consideration of all relevant matter presented, including that in the notice, the information and recommendation submitted by the Committee, and other available information, the amendment of § 989.401(a)(1) and (b) of Subpart—Schedule of Payments (7 CFR 989.401) as hereinafter set forth, to make these rate increases is approved.

It is hereby found that good cause exists for not postponing the effective date until 30 days after publication in the **Federal Register** (5 U.S.C. 553) so that the Committee can begin promptly to pay handlers at the increased rates.

This action has been reviewed under USDA criteria for implementing Executive Order 12044. A determination has been made that this action should not be classified "significant" under the Department's criteria for implementing the Executive Order. An impact analysis is available from James S. Miller, (202) 447–5053.

Therefore, § 989.401(a)(1) and (b) are revised to read as follows:

§ 989.401 Payments for services performed with respect to reserve tonnage raisins.

(a) *Payment for crop year of acquisition*—(1) *Receiving, storing, fumigating, and handling.* Each handler shall, beginning January 1, 1980, of the 1979–80 crop year, be compensated at the rate of $29 per ton (natural condition weight at the time of acquisition) for receiving, storing, fumigating, and handling the reserve tonnage raisins, as determined by the final reserve tonnage percentage, acquired during a particular crop year and held by him for the account of the Raisin Administrative Committee during all or any part of the same crop year.

* * * * *

(b) *Additional payment for reserve tonnage raisins held beyond the crop year of acquisition.* Additional payment for reserve tonnage raisins held beyond the crop year of acquisition shall be made in accordance with this paragraph. Each handler holding such raisins for the account of the Committee on August 15 and the following September 1 shall be compensated for storing, handling, and fumigating such raisins at the rate of $1.45 per ton per month, or any part thereof, for each month of the three-month period ending November 30, and 75 cents per ton per month, or any part thereof, for each month of the next nine months. Such services shall be completed so that the Committee is assured that the raisins are maintained in good condition.

* * * * *

(Secs. 1–19; 48 Stat 31, as amended; (7 U.S.C. 601–674))

Dated: February 14, 1980.

D. S. Kuryloski

Deputy Director, Fruit and Vegetable Division.

[FR Doc. 80-5350 Filed 2-20-80; 8:45 am]

BILLING CODE 3410-02-M

Commodity Credit Corporation

7 CFR Part 1446

1980 Crop Peanut Loan and Purchase Program

AGENCY: Commodity Credit Corporation, U.S. Department of Agriculture.

ACTION: Final Rule.

SUMMARY: The purpose of this rule is to announce, effective with respect to the 1980 crop of peanuts (1) the national level of support for quota peanuts, (2) the national level of support for additional peanuts, (3) the sales policy for peanuts received under loan or acquired by the Commodity Credit Corporation (hereinafter referred to as "CCC") under the 1980 program, and (4) other related provisions. The need for this rule is to satisfy the statutory requirements as provided for in Section 108 of the Agricultural Act of 1949, (hereinafter referred to as the "Act").

EFFECTIVE DATE: February 15, 1980.

FOR FURTHER INFORMATION CONTACT: Gypsy Banks, Price Support and Loan Division, ASCS, USDA, 3741-South Building, P.O. Box 2415, Washington, D.C. 20013. (202) 447–6733.

SUPPLEMENTARY INFORMATION: A notice that the Secretary was preparing to make determinations with respect to the provisions of Section 108 of the Act was published in the **Federal Register** on December 4, 1979 (44 FR 69656), in accordance with 5 U.S.C. 533, and Executive Order 12044. The written comment period ended January 11, 1980, but all comments received through January 14, 1980, were considered. There were 285 responses—58 from members of Congress; 7 from peanut grower organizations; 9 from general farm organizations; 3 from sheller organizations; 1 from a local bank; 11 from State governments, 189 from individuals; 5 from agribusiness; and 2 from area marketing associations. The following is a summary of comments received:

Summary of Comments to Notice of Proposed Rulemaking

Quota price support level, 285 commentators. Three organizations and 1 individual recommended $420 per ton, the minimum support level prescribed by statute. All other respondents recommended a higher support level within the range of $456 to $565 per ton. A majority recommended that the minimum support level be increased to at least $500 per ton, reflecting the percentage increase in the index of prices paid by farmers for production items, interest, taxes and wage rates (PPI) from the 1977 to the 1979 calendar year average.

Additional price support level, 64 commentators. Seven organizations and 3 individuals recommended $300 per ton, the same as the 1979 level. Ten respondents recommended that a loan rate be established at a level which would assure no program costs would be incurred by the Government. The remaining recommendations were mostly within the $345 to $400 per ton range.

Sales policy, 16 commentators. There were 8 organizations and 8 individual commentators, concerned primarily with the minimum price for edible export sales of additional loan peanuts. Two organizations recommended a minimum edible export sales price of $400, the same as in 1979. Three organizations and 3 individuals recommended an increase roughly proportional to any increase in the quota loan rate. One organization recommended that this minimum price be equivalent to the quota loan rate. Two organizations and 5 individuals recommended an increase in the sales price ranging from $450 to $500 per ton.

After taking into consideration the comments received as well as the applicable statutory provisions, the following determinations are being made with respect to the 1980 crop of peanuts.

A. *The national level of support for quota peanuts.* Section 108(a) of the Act provides that the Secretary shall make price support available to producers through loans, purchases, or other operations on quota peanuts of the 1980 crop at such level as he finds appropriate, but not less than $420 per ton. In determining price support levels, section 108(a) of the Act directs the Secretary to take into consideration (a)

any change in the index of prices paid by farmers for production items, interest, taxes, and wage rates during the period January 1 through December 31, 1979, inclusive, and (b) the eight factors specified in section 401(b) of the Act, namely: the supply of the commodity in relation to the demand therefor, the levels at which other commodities are being supported, the availability of funds, the perishability of the commodity, the importance of the commodity to agriculture and the national economy, the ability to dispose of stocks acquired through a support operation, the need for offsetting temporary losses of export markets, and the ability and willingness of producers to keep supplies in line with demand. In accordance with the criteria set forth above in section 108(a) of the Act with respect to determining price support levels, the following data was considered:

1. *Index of prices paid for production items, interest, taxes and wage rates.* The increase in the Prices Paid Index (1910–1914) during 1979 was about 14.5 percent. A comparable increase in the minimum price support level of $420 per ton would result in a loan rate of about $480 per ton. This increase in the PPI indicates the need for an increase in the quota loan rate for 1980-crop peanuts. However, this Index includes items not related to costs of production for peanut producers. The Economics, Statistics and Cooperatives Service, USDA, projects the total cost of peanut production, including land and management, at $450 per ton assuming a planted acre yield of 2,650 pounds and an increase in per acre operating cost of 15 percent.

2. The eight factors to be considered, as specified in section 401(b) of the Act, are as follows:

(a) *Supply of the commodity in relation to demand.* The estimated supply of 1980-crop peanuts is projected to exceed estimated requirements for domestic edible use, exports and carryover based on the following data:

1980-Crop Peanuts—*Projected Supply and Demand with Most Likely U.S. Weather, 1980 Marketing Year*

	[1,000 Tons]
Projected supply:	
Carryin	300
Marketings	1,960
Total supply	2,260
Projected demand:	
Domestic edible and related	1,298
Exports	500
Loan surplus	162
Total Demand	1,960
Carryover	300

(b) *Price levels at which other commodities are being supported.* The quota loan level of $455 per ton reflects 61.6 percent of January parity. Of the 1980 price support levels announced, dairy at 68.4 percent, wool at 71.5 percent, and mohair at 71.5 percent reflect a higher percentage of parity. The support for 1980 upland cotton at 46.6 percent reflects a lower percentage of parity.

Commodity:	*Price support level*
Dairy (cwt.)	11.49
Upland Cotton (lb.)	.48
Wool (lb.)	1.23
Mohair (lb.)	2.903

(c) *Availability of funds.* Program costs are projected at $27.2 million for the 1980 crop, under most likely U.S. weather conditions. It is estimated that Commodity Credit Corporation funds will be available for this purpose.

(d) *The perishability of the commodity.* It is hazardous to hold peanuts in dry storage through the hot summer months because of danger of loss due to deterioration, insect infestation, or rodent damage. Shelled peanuts can be kept in cold storage for two years or more with little loss of weight or quality; however, the costs incurred would be prohibitive.

(e) *Importance of commodity to agriculture and the national economy.* Nationally, peanuts are a minor crop, representing about one percent of the total farm value of all U.S. crops. However, peanuts are an important crop in the major peanut producing States and are extremely important to the economies of areas within those States. In 1979, over 98 percent of U.S. peanuts were produced in the following States: Georgia (42.9%) Alabama (15.1%), Florida (4.5%), North Carolina (9.4%), Virginia (6.5%), Texas (13.0%), and Oklahoma (6.8%). The value of production from the 1979 crop is estimated at $821 million.

(f) *The ability to dispose of stocks acquired through price support operations.* There is an immediate dollar market for peanuts for crushing at competitive prices. For the 1980 crop, projections indicate that CCC could lose $245 per ton on 112,000 tons of quota peanuts and $40 per ton on 50,000 tons of additional peanuts sold for domestic crushing at competitive prices.

(g) *The need for offsetting temporary losses of export markets.* U.S. exports of peanuts in the 1979–80 marketing year reached 500,000 tons, 70,000 tons below the all-time high in 1978. Whether this export volume can be sustained through the 1980–81 marketing year will depend largely on export availabilities from India and other producers of peanuts for edible use. The latest projection for 1980–81 U.S. exports is 500,000 tons, consisting of 200,000 tons of commercial quota peanuts and peanut products, 262,000 tons of additional peanuts grown under commercial contracts and 38,000 tons sold from loan stocks of quota and additional peanuts. If 1980–81 export demand is higher, or the supply of additional peanuts is lower than projected, an estimated 112,000 tons of surplus quota loan stocks will be available, at or above the quota loan rate plus costs, to make up the shortfall.

(h) *The ability and willingness of producers to keep supplies in line with demand.* In a referendum held December 12 through 15, 1977, 93.6 percent of the growers voting approved marketing quotas and acreage allotments for the 1978 through 1980 crops of peanuts.

After consideration of the comments received and the above data, the Secretary has determined that the national level of support for 1980-crop quota peanuts will be $455 per ton, $35 higher than the 1979 level and the statutory minimum. This $455 per ton level is projected to assure an adequate peanut supply, cover total costs of production on a tonnage basis (assuming a planted acre yield of 2,650 pounds and an increase in per acre operating costs of 15 percent) and as a percent of January parity is fourth highest among announced 1980 support levels for other commodities. A quota loan rate above $455 per ton was rejected primarily as being more inflationary, would increase program costs and would not be needed to assure adequate supplies for domestic edible, export, and carryover requirements.

B. *The national level of support for additional peanuts.* Section 108(b) of the Act provides that the Secretary shall make price support available to producers through loans, purchases, or other operations on 1980-crop "additional peanuts," which are defined in the Act as any peanuts which are marketed from a farm and which are in excess of the marketings of quota peanuts from such farm for the marketing year, but which are not in excess of the actual production from the farm acreage allotment. This section requires that the loan rate for 1980 crop additional peanuts shall be announced no later than February 15, 1980, and that in determining this rate, the Secretary shall take into consideration the demand for peanut oil and peanut meal, expected prices of other vegetable oils and protein meals, and the demand for peanuts in foreign markets.

Historically, there is an immediate dollar market for peanuts for crushing and production of peanut oil and meal. Peanut oil prices usually have averaged about 4 cents to 5 cents per pound above soybean oil prices, with peanut meal

prices averaging about the same as soybean meal prices. In recent months peanut oil prices have ranged from 1 to 4 cents above soybean oil prices due primarily to a worldwide increase in the production of vegetable oils. Current projections indicate an increase in domestic crushing availabilities, and a slight rise in the peanut domestic crushing value to about $240 per ton, based on oil at 28 cents per pound and meal at $180 per ton.

The demand for U.S. peanuts in foreign markets is estimated at 500,000 tons in the 1980 marketing year, the same as in 1979. It is estimated that world demand, combined with the minimum sales policies established by this final rule, will sustain an average export price for edible peanuts of at least $435 per ton for U.S. peanuts. Because of the record production of oilseeds, both in the U.S. and abroad, projections indicate that for 1980 export crushing markets will not absorb additional loan stocks at $280 per ton, the minimum price at which CCC will sell additional peanuts for export crushing. CCC is projected to realize a loss of $40 a ton on about 50,000 tons of additional peanuts sold for domestic crushing.

Taking into consideration these factors and the comments received, the Secretary has determined that the national level of support for 1980 crop additional peanuts will be $250 per ton. The additional loan rate has been reduced $50 per ton from the 1979 level, reflecting the weak export crushing demand for 1980–81 marketing year. An additional loan rate above $250 per ton would be above the level indicated by projected export and crushing demand.

C. *Sales Policy.* Section 407 of the Act provides that CCC may not sell peanuts at less than 105 percent of the support price plus reasonable carrying charges, except sales for new or by product uses, extraction of oil, export, and prevention of deterioration or spoilage.

Section 359(j) of the Agricultural Adjustment Act of 1938 provides that additional peanuts received under loan may be sold for domestic edible use at prices not less than those required to cover all costs incurred with respect to such peanuts for such items as inspection, warehousing, shrinkage, and other expenses, plus (1) 100 percent of the quota loan value if the additional peanuts are sold and paid for during the harvest season upon delivery by the producer, or (2) 105 percent of the quota loan value if the additional peanuts are sold after delivery by the producer but on or before December 31 of the marketing year, or (3) 107 percent of the quota loan value if the additional peanuts are sold later than December 31 of the marketing year.

Sales of both quota and additional peanuts for domestic edible use will be made at prices not less than those required to cover the costs specified in the preceding paragraph plus the applicable loan values provided in items (2) and (3) thereof. Also, additional peanuts will be sold for domestic edible use at prices not less than those required to cover such costs plus the loan value as provided in item (1) of the preceding paragraph. Under the discretionary authority provided by the Act, it has been determined that sales of quota peanuts for export will be made by CCC at not less than all costs incurred by CCC plus 100 percent of the quota loan value. Sales for export of additional peanuts for edible uses will be made by CCC at not less than $435 per ton. Sales for export of additional peanuts for crushing only will be made by CCC at not less than all costs incurred with respect to such peanuts for such items as inspection, warehousing, shrinkage, and other expenses, plus 100 percent of the additional loan value. Additional peanuts sold by CCC for export crushing will be required to be fragmented prior to export. Sales of quota and additional peanuts for domestic crushing only will be made by CCC at competitive prices with the use of oil being restricted to domestic markets if the price of the peanuts from which the oil is produced is less than the applicable loan rate, plus costs.

Final Rule

The material previously appearing in §§ 1446.30 through 1446.50 remains in full force and effect as to the 1979 crop. Effective, for the 1980 crop of peanuts, §§ 1446.30 through 1446.50 and the title of the subpart, are amended to read as follows:

Subpart—1980 Crop Peanut Loan and Purchase Program

Sec.
1446.30 [Reserved]
1446.31 Applicability
1446.32 National average support value, quota peanuts
1446.33 National average support value, additional peanuts
1446.34 Sales for domestic edible use
1446.35 Sales for export
1446.36 Sales for domestic crushing
1446.37 through 1446.50 [Reserved]

Authority: Secs. 4 and 5, 62 stat. 1070, as amended, (15 U.S.C. 714 b and c): secs. 101, 108, 401, 63 Stat.1051, as amended (7 U.S.C. 1441, 1445c, 1421); sec. 359, 52 Stat. 31, as amended (7 U.S.C. 1359).

Subpart—1980 Crop Peanut Loan and Purchase Program

§ 1446.30 [Reserved]

§ 1446.31 Applicability

The support prices specified in this subpart apply to 1980 crop farmers' stock peanuts in bulk or in bags, net weight basis, eligible for price support under the General Regulations (44 FR 33827).

§ 1446.32 National average level of support, quota peanuts.

The national average level of support for 1980 crop quota peanuts is $455 per ton.

§ 1446.33 National average level of support, additional peanuts.

The national average level of support for 1980 crop additional peanuts is $250 per ton.

§ 1446.34 Sales for domestic edible use.

Sales of peanuts for domestic edible use, including use as seed, will be made by CCC at prices not less than those required to cover all costs incurred with respect to such peanuts for such items as inspection, warehousing, shrinkage, and other expenses, plus, in the case of quota or additional peanuts, 105 percent of the quota loan value if sold after delivery by the producer but not later than December 31, 1980, or 107 percent of the quota loan value if sold later than December 31, 1980, or, in the case of additional peanuts only, 100 percent of the quota loan value if sold and paid for during the harvest season upon delivery by the producer.

§ 1446.35 Sales for export.

Sales of quota peanuts for export will be made by CCC at not less than all costs incurred with respect to such peanuts for such items as inspection, warehousing, shrinkage, and other expenses, plus 100 percent of the quota loan value. Sales for export of additional peanuts for edible uses will be made by CCC at not less than $435 per ton. Sales for export of additional peanuts for crushing only will be made at not less than all costs incurred with respect to such peanuts for such items as inspection, shrinkage, warehousing, and other expenses, plus 100 percent of the additional loan value, and such peanuts shall be fragmented prior to export in accordance with the General Regulations.

§ 1446.36 Sales for domestic crushing.

Sales of quota and additional peanuts for domestic crushing only will be made by CCC at competitive prices, and if such prices are less than all costs

incurred plus the applicable loan rate for quota or additional peanuts, the use of the oil produced from such peanuts will be restricted to domestic markets.

§§ 1446.37-1446.50 [Reserved]

Note.—This regulation has been reviewed under the USDA criteria established to implement Executive Order 12044, "Improving Government Regulations". A determination has been made that this action should be classified "significant" under those criteria. A final impact statement is available from Gypsy Banks, (ASCS), (202) 447-6733.

Signed at Washington, D.C., on February 15, 1980.

M. Rupert Cutler,

Acting Secretary, Department of Agriculture.

[FR Doc. 80-5385 Filed 2-15-80; 4:44 pm]

BILLING CODE 3410-05-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 79-GL-15-AD; Amdt. 39-3700]

Hamill Manufacturing Co. TSO-C22f Seat Belt Assembly Models GA-4 and GA-5; Airworthiness Directives

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This notice adopts an airworthiness directive (AD) that requires the removal from service within the next 120 days of the GA-4 and GA-5 safety belt assemblies manufactured by Hamill Manufacturing Company and marked as meeting the standards of FAA TSO-C22f. The AD is needed since it was determined that the criteria of TSO-C22f and previously accepted deviation criteria for push-button release mechanisms are not met by these safety belt assemblies. The high release forces required to release the latch mechanism under certain conditions are considered unsatisfactory.

DATES: Effective—February 27, 1980. Compliance required within the next 120 days after the effective date of this AD, unless already accomplished.

FOR FURTHER INFORMATION CONTACT: Mr. Terry Fahr, Engineering and Manufacturing Branch, Flight Standards Division, AGL-212, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (312) 694-4500, extension 424.

SUPPLEMENTARY INFORMATION: A proposal to amend Part 39 of the Federal Aviation Regulations to include an Airworthiness Directive requiring that certain models of Hamill Manufacturing Company safety belt assemblies be removed from service was published in the **Federal Register.** The proposal was prompted because high release forces required to release the latch mechanism under certain conditions are considered unsatisfactory.

The FAA has determined that the above identified Hamill Manufacturing Company safety belt assemblies do not meet the requirements of TSO-C22f or present acceptable deviation criteria for push-button release mechanisms. This latter criteria requires that the release force under a 250 pound load be no greater than 8 pounds on the push-button and under no conditions should the release force be less than 2.5 pounds on the push-button. Since this condition exists in the above identified safety belt assemblies, this AD requires that these safety belts be removed from service.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended by adding the following new Airworthiness Directive:

Hamill Manufacturing Company: Applies to Models GA-4 and GA-5 safety belt assemblies marked as meeting the standards of FAA TSO-C22f. These safety belts are installed in, but not limited to, the following aircraft operated by General Motors Corporation and Firestone Tire and Rubber Company: Grumman American 1159, Rockwell International NA265, Convair 580 and Hawker Siddeley DH125.

These safety belts can no longer be considered to meet the standards prescribed by FAA TSO-C22f and the approved special criteria for push-button release mechanisms which requires the push-button force to be between 2.5 and 8 pounds when using the loading conditions specified in FAA TSO-C22f (Section 4.3.2.2 of NAS 802).

Within 120 days from the effective date of this AD, these safety belts shall not be used in type certificated aircraft.

This amendment becomes effective February 27, 1980.

(Secs. 313(a), 601 and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); 14 CFR 11.89).

Note.—The FAA has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the final evaluation prepared for this document is contained in the docket. A copy of it may be obtained by writing to Mr. Terry Fahr, Engineering and Manufacturing Branch, Flight Standards Division, AGL-212, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (312) 694-4500, extension 424.

Issued in Des Plaines, Illinois on February 4, 1980.

Wayne Barlow,

Director, Great Lakes Region.

[FR Doc. 80-5196 Filed 2-20-80; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 39

[Docket No. 79-EA-68; Amdt. 39-3691]

Airworthiness Directives; AVCO Lycoming

Correction

In FR Doc. 80-4301, appearing at page 8951 in the issue for Monday, February 11, 1980 in the heading, in the second line, contained in brackets, the Amendment number "39-3692" should read "39-3691."

BILLING CODE: 1505-01

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14 CFR Part 71

[Airspace Docket No. 79-ANW-13]

Designation of Controlled Airspace, Transition Area; Burns, Oreg.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of the action being taken is to designate 700 foot and 1200 foot transition area at Burns, Oregon. The intended effect of the action is to provide controlled airspace for aircraft executing the new VOR and NDB instrument approach procedures to the Burns Municipal Airport. The circumstance which created the need for the action is the establishment of a very high frequency omnidirectional range station (VOR) on the Burns Municipal Airport. Coincident with this action, the airport status is changed from Visual Flight Rules (VFR) to Instrument Flight Rules (IFR).

EFFECTIVE DATE: March 20, 1980.

FOR FURTHER INFORMATION CONTACT: Robert L. Brown, Airspace Specialist (ANW-534), Operations, Procedures and Airspace Branch, Air Traffic Division, Federal Aviation Administration, Northwest Region, FAA Building, Boeing Field, Seattle, Washington, 98108; telephone (206) 767-2610.

SUPPLEMENTARY INFORMATION:

History

On December 17, 1979, a Notice of Proposed Rule Making was published in the **Federal Register** (44 FR 73113)

stating that the Federal Aviation Administration proposed to designate transition area at Burns, Oregon. Interested persons were invited to participate in this rule making proceeding by submitting written comments on the proposal to the Federal Aviation Administration. Comments were received, none objecting to the proposal.

The Rule

This admendment to Subpart G of the Part 71 of the Federal Aviation Regulations (14 CFR Part 71) designates transition areas at Burns, Oregon. This action provides controlled airspace from 700 feet above the ground for the protection of aircraft executing instrument approach procedures to the Burns Municipal Airport, Burns, Oregon.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (44 FR 442) is amended, effective 0901 G.M.T. March 20, 1980 as follows:

§ 71.181 [Amended.]

In Subpart G, § 71.181 (45 FR 445), the following transition area is designated by adding the following:

Burns, Oregon

That airspace extending upward from 700 feet above the surface within 12.5 miles northeast and 11.5 miles southwest of the 141° and 321° radials of the Wildhorse VOR (Burns, Oregon), extending from 11 miles southeast to 10.5 miles northwest of the VOR; and that airspace extending upward from 1200 feet above the surface within 12.5 miles northeast and 11.5 miles southwest of the 141° and 321° radials of the Wildhorse VOR (Burns, Oregon), extending from 23 miles southeast to 10.5 miles northwest of the VOR.

(Sec. 307(A), Federal Aviation Act of 1958, (49 U.S.C. 1348(A)); and sec. 6(C), Department of Transportation Act (49 U.S.C. 1655(c))

Note.—The Federal Aviation Administration has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Seattle, Wash., February 12, 1980.

C. B. Walk, Jr.,

Director.

[FR Doc. 80-5334 Filed 2-20-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 97

[Docket No. 20038; Amdt. No. 1158]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: An effective date for each SIAP is specified in the amendatory provisions.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination—1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, D.C. 20591;

2. The FAA Regional Office of the region in which the affected airport is located; or

3. The Flight Inspection Field Office which originated the SIAP.

For Purchase—Individual SIAP copies may be obtained from:

1. FAA Public Information Center (APA-430), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, D.C. 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

By Subscription—Copies of all SIAPs, mailed once every 2 weeks, may be ordered from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. The annual subscription price is $135.00.

FOR FURTHER INFORMATION CONTACT: Gary W. Wirt, Flight Procedures and Airspace Branch (AFO-730), Aircraft Programs Division, Office of Flight Operations, Federal Aviation Administration, 800 Independence Aveue, SW., Washington, D.C. 20591; telephone (202) 426-8277.

SUPPLEMENTRY INFORMATION: This amendment to Part 97 of the Federal Aviation Regulations (14 CFR Part 97) prescribes new, amended, suspended, or revoked Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in offical FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR Part 51, and § 97.20 of the Federal Aviation Regulations (FARs). The applicable FAA Forms are identified as FAA Forms 8260-3, 8260-4 and 8260-5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form document is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

This amendment to Part 97 is effective on the date of publication and contains separate SIAPs which have compliance dates stated as effective dates based on related changes in the National Airspace System or the application of new or revised criteria. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Approach Procedures (TERPs). In developing these SIAPs, the TERPs criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs is unnecessary, impracticable, or

contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

Adoption of the amendment

Accordingly, pursuant to the authority delegated to me, Part 97 of the Federal Aviation Regulations (14 CFR Part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 G.m.t. on the dates specified, as follows:

1. By amending § 97.23 VOR–VOR/DME SIAPs identified as follows:

** * * Effective April 17, 1980*

Lawrenceville, GA—Gwinnett County, VOR Rwy 7, Amdt. 6
Lawrenceville, GA—Gwinnett County, VOR/DME Rwy 25, Amdt. 2
Wilmington, OH—Wilmington Industrial Airpark, VOR Rwy 4, Original
Wilmington, OH—Wilmington Industrial Airpark, VOR Rwy 22, Original
Wilmington, OH—Wilmington Industrial Airpark, VOR/DME Rwy 22, Original
Aurora, NE—Aurora Muni., VOR–A, Amdt. 2
Charlotte, NC—Douglas Municipal, VOR/DME Rwy 18R, Amdt. 1

** * * Effective April 3, 1980*

Oelwein, IA—Oelwein Muni., VOR/DME–A, Original
Bowling Green, KY—Bowling Green-Warren County, VOR Rwy 3, Amdt. 10
Bowling Green, KY—Bowling Green-Warren County, VOR/DME Rwy 21, Amdt. 1
London, KY—London-Corbin Arpt-Magee Fld., VOR Rwy 5, Amdt. 10
London, KY—London-Corbin Arpt-Magee Fld., VOR/DME Rwy 23, Amdt. 3
Lafayette, LA—Lafayette Regional, VOR/DME Rwy 19, Original
Marksville, LA—Marksville, Muni., VOR/DME–A, Original
Stow, MA—Minute Man Airfield, VOR/DME Rwy 21, Original
Belen, NM—Alexander Muni., VOR/DME–A, Original
New York, NY—LaGuardia, VOR–B, Original
Alliance, OH—Great Lakes Aero-Port, VOR–A, Amdt. 5
Batavia, OH—Clermont County, VOR–A, Original
East Stroudsburg, PA—Birchwood-Pocono Airpark, VOR/DME Rwy 31, Original
Prospectville, PA—Turner Field, VOR Rwy 14, Amdt. 2
Conway, SC—Conway-Horry County, VOR/DME–B, Original
Orange, VA—Orange County, VOR/DME–A, Original
Point Pleasant, WV—Mason County, VOR/DME–A, Amdt. 1
Milwaukee, WI—Lawrence J. Timmerman, VOR Rwy 4L, Amdt. 4
Milwaukee, WI—Lawrence J. Timmerman, VOR Rwy 15L, Amdt. 9

** * * Effective March 20, 1980*

Springfield, IL—Capital, VOR Rwy 22, Amdt. 16

2. By amending § 97.25 SDF–LOC–LDA SIAPs identified as follows:

** * * Effective April 3, 1980*

Fort Wayne, IN—Fort Wayne Municipal (Baer Fld) LOC BC Rwy 13, Amdt. 7
Miami, FL—Miami Intl, LOC/DME Rwy 30, Original
Butte, MT—Bert Mooney, LOC Rwy 15, Amdt. 1

** * * Effective March 20, 1980*

Danville, IL—Vermilion County, LOC Rwy 21, Orig., cancelled
Springfield, IL—Capital, LOC BC Rwy 22, Amdt. 9, cancelled
Nashua, NH—Boire Field, LOC Rwy 14, Original
Millville, NJ—Millville Muni., LOC Rwy 10, Original

** * * Effective February 8, 1980*

Silver City, NM—Silver City & Grant Co., LOC/DME Rwy 26, Amdt. 1

** * * Effective February 7, 1980*

Hawthorne, CA—Hawthorne Muni., LOC Rwy 25, Amdt. 4

3. By amending § 97.27 NDB/ADF SIAPs identified as follows:

** * * Effective May 15, 1980*

Le Mars, IA—Le Mars Muni., NDB Rwy 18, Amdt. 4

** * * Effective April 17, 1980*

Reidsville, GA—Reidsville, NDB Rwy 11, Amdt. 3
Wilmington, OH—Wilmington, Industrial Airpark, NDB Rwy 22, Amdt. 3
Aurora, NE—Aurora Muni., NDB Rwy 16, Amdt. 1
Bassett, NE—Rock County, NDB Rwy 31, Original

** * * Effective April 3, 1980*

Oelwein, IA—Oelwein Muni., NDB Rwy 13, Original
Oelwein, IA—Oelwein Muni., NDB Rwy 13, Amdt. 2, cancelled
Lafayette, LA—Lafayette Regional, NDB Rwy 3, Original, cancelled
Levelland, TX—Levelland Muni., NDB Rwy 17, Original

** * * Effective March 20, 1980*

Springfield, IL—Capital, NDB Rwy 4, Amdt. 15
Nashua, NH—Boire Field, NDB Rwy 14, Original
Nashua, NH—Boire Field, NDB–B, Amdt. 9, cancelled

** * * Effective February 8, 1980*

Silver City, NM—Silver City & Grant Co., NDB Rwy 26, Amdt. 1

** * * Effective February 7, 1980*

Sioux Center, IA—Sioux Center Municipal, NDB Rwy 17, Amdt. 1

4. By amending § 97.29 ILS–MLS SIAPs identified as follows:

** * * Effective April 17, 1980*

Charlotte, NC—Douglas Municipal, ILS Rwy 36L, Amdt. 2

** * * Effective April 3, 1980*

Detroit, MI—Detroit Metropolitan Wayne County, ILS Rwy 3L, Amdt. 4
Detroit, MI—Detroit Metropolitan Wayne County, ILS Rwy 21R, Amdt. 15
Houston TX—Houston Intercontinental, ILS Rwy 32, Amdt. 1

** * * Effective March 20, 1980*

Danville, IL—Vermilion County, ILS Rwy 21, Original
Springfield, IL—Capital, ILS Rwy 4, Amdt. 20
Springfield, IL—Capital, ILS Rwy 22, Original
Massena, NY—Richards Field, ILS Rwy 5, Original
New York, NY—John F. Kennedy Int'l, ILS Rwy 4L, Amdt. 3
New York, NY—John F. Kennedy Int'l, ILS Rwy 22L, Amdt. 19
New York, NY—John F. Kennedy Int'l, ILS Rwy 31L, Amdt. 3

5. By amending § 97.31 RADAR SIAPs identified as follows:

** * * Effective March 20, 1980*

Springfield, IL—Capital, RADAR–1, Amdt. 3

6. By amending § 97.33 RNAV SIAPs identified as follows:

** * * Effective April 3, 1980*

Oelwein, IA—Oelwein Muni., RNAV Rwy 13, Original
London, KY—London-Corbin Arpt-Magee Fld, RNAV Rwy 5, Amdt. 1

** * * Effective March 20, 1980*

Springfield, IL—Capital, RNAV Rwy 22, Amdt. 4.
Springfield, IL—Capital, RNAV Rwy 4, Amdt. 4

(Secs. 307, 313(a), 601, and 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354(a), 1421, and 1510); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.49(b)(3))

Note.—The FAA has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Washington, D.C. on February 15, 1980.

John S. Kern,

Acting Chief, Aircraft Programs Division.

Note.—The incorporation by reference in the preceding document was approved by the Director of the **Federal Register** on May 12, 1969.

[FR Doc. 80-5349 Filed 2-20-80; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 301

[T.D. 7675]

Definition of Income Tax Return Preparer

AGENCY: Internal Revenue Service, Treasury.

ACTION: Final regulation.

SUMMARY: This document provides a final regulation excluding certain persons from the definition of income tax return preparer. This regulation amends existing regulations as a result of changes to the applicable law made by the Revenue Act of 1978 and also the need for clarification of existing law. This regulation affects certain persons who assist others in completing their Federal income tax returns and provides guidance needed to comply with law.

DATE: The regulation applies with respect to documents prepared after December 31, 1976.

FOR FURTHER INFORMATION CONTACT: Mark L. Yecies of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, Attention: CC:LR:T (202-566-3464, not a toll-free call).

SUPPLEMENTARY INFORMATION:

Background

This document contains an amendment to the Regulations on Procedure and Administration (26 CFR Part 301) under section 7701(a)(36) of the Internal Revenue Code of 1954, relating to the definition of income tax return preparer.

Section 163 of the Revenue Act of 1978 authorizes the Secretary of the Treasury, through the Internal Revenue Service, to enter into agreements with nonprofit agencies or organizations pursuant to which the Service will provide training and technical assistance enabling volunteers of these institutions to assist the elderly in completing their Federal income tax returns. In addition to this Tax Counseling for the Elderly program, the Internal Revenue Service has established a Volunteer Income Tax Assistance (VITA) program which provides assistance to individual taxpayers in completing their Federal income tax returns through the use of Service-trained volunteers.

Section 1203 of the Tax Reform Act of 1976 established duties for income tax return preparers and provided penalties for the breach of those duties. On November 23, 1977, the **Federal Register** published regulations to implement most of the provisions of section 1203 (42 FR 59961). Those regulations included a provision, § 301.7701-15, relating to the definition of income tax return preparer found in section 7701(a)(36) of the Code. Only preparers as so defined in the Code and regulations are subject to the duties and penalties imposed by section 1203.

In enacting these preparer measures in the Tax Reform Act of 1976, Congress sought to subject persons preparing returns for a fee to a specific set of requirements. However, Congress did not intend those requirements to apply to persons merely assisting others to complete their returns in a nonprofit, noncommercial setting such as volunteers under the Tax Counseling for the Elderly and the VITA programs. Assistance under these programs is provided to taxpayers free of charge. In addition, volunteers under the VITA program receive no amounts from any source in participating in the program, while volunteers under the Tax Counseling for the Elderly program may receive only reimbursement of expenses from the Internal Revenue Service through the sponsoring organizations. Further, section 163(c)(2) of the Revenue Act of 1978 in general exempts these reimbursed amounts from income and social security taxes.

Accordingly, this document amends § 301.7701-15 to make clear that volunteers under the VITA and Tax Counseling for the Elderly programs are not considered income tax return preparers for purposes of section 1203 of the Tax Reform Act of 1976. Similarly, this regulation makes clear that organizations sponsoring or administering these programs are not considered preparers with respect to such sponsorship or administration.

This regulation does not meet the Treasury criteria for a significant regulation under paragraph 8 of the final Treasury directive for improving government regulations appearing in the **Federal Register** for Wednesday, November 8, 1978 (43 FR 52120).

Drafting Information

The principal author of this regulation is Mark L. Yecies of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing the regulation, both on matters of substance and style.

Adoption of Amendment To The Regulations

Accordingly, 26 CFR Part 301 is amended by adding to § 301.7701-15 a new paragraph (a)(7), reading as follows:

§ 301.7701-15 Income tax return preparer.

(a) *In general.* * * *

(7) The following persons are not income tax return preparers:

(i) Any individual who provides tax assistance under a Volunteer Income Tax Assistance (VITA) program established by the Internal Revenue Service;

(ii) Any organization sponsoring or administering a Volunteer Income Tax Assistance (VITA) program established by the Internal Revenue Service, but only with respect to that sponsorship or administration;

(iii) Any individual who provides tax counseling for the elderly under a program established pursuant to section 163 of the Revenue Act of 1978; and

(iv) Any organization sponsoring or administering a program to provide tax counseling for the elderly established pursuant to section 163 of the Revenue Act of 1978, but only with respect to that sponsorship or administration.

* * * * *

There is need for immediate guidance with respect to the provisions contained in this Treasury decision. For this reason, it is found impracticable to issue it with notice and public procedure under subsection (b) of section 553 of Title 5 of the United States Code or subject to the effective date limitation of subsection (d) of that section.

This Treasury decision is issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

Jerome Kurtz,
Commissioner of Internal Revenue.

Approved: February 5, 1980.

Donald C. Lubick,
Assistant Secretary of the Treasury.

26 CFR Part 301 is amended by adding to § 301.7701-15 a new paragraph (a)(7). As amended the section reads as follows:

§ 301.7701-15 Income tax return preparer.

(a) *In general.* An income tax return preparer is any person who prepares for compensation, or who employs (or engages) one or more persons to prepare for compensation, other than for the person, all or a substantial portion of any return of tax under subtitle A of the Internal Revenue Code of 1954 or of any claim for refund of tax under subtitle A of the Internal Revenue Code of 1954.

(1) A person who furnishes to a taxpayer or other preparer sufficient information and advice so that completion of the return or claim for refund is largely a mechanical or clerical

matter is considered an income tax return preparer, even though that person does not actually place or review placement of information on the return or claim for refund. See also paragraph (b) of this section.

(2) A person who only gives advice on specific issues of law shall not be considered an income tax return preparer, unless—

(i) The advice is given with respect to events which have occurred at the time the advice is rendered and is not given with respect to the consequences of contemplated actions; and

(ii) The advice is directly relevant to the determination of the existence, characterization, or amount of an entry on a return or claim for refund. For example, if a lawyer gives an opinion on a transaction which a corporation has consummated, solely to satisfy an accountant (not at the time a preparer of the corporation's return) who is attempting to determine whether the reserve for taxes set forth in the corporation's financial statement is reasonable, the lawyer shall not be considered a tax return preparer solely by reason of rendering such opinion.

(3) A person may be an income tax return preparer without regard to educational qualifications and professional status requirements.

(4) A person must prepare a return or claim for refund for compensation to be an income tax return preparer. A person who prepares a return or claim for refund for a taxpayer with no explicit or implicit agreement for compensation is not a preparer, even though the person receives a gift or return service or favor.

(5) A person who prepares a return or claim for refund outside the United States is an income tax return preparer, regardless of his nationality, residence, or the locations of his places of business, if the person otherwise satisfies the definition of income tax return preparer. Notwithstanding the provisions of § 301.6109-1(g), the person shall secure an employer identification number if he is an employer of another preparer, is a partnership in which one or more of the general partners is a preparer, or is an individual not employed (or engaged) by another preparer. The person shall comply with the provisions of section 1203 of the Tax Reform Act of 1976 and the regulations thereunder.

(6) An official or employee of the Internal Revenue Service performing his official duties is not an income tax return preparer.

(7) The following persons are not income tax return preparers:

(i) Any individual who provides tax assistance under a Volunteer Income Tax Assistance (VITA) program established by the Internal Revenue Service;

(ii) Any organization sponsoring or administering a Volunteer Income Tax Assistance (VITA) program established by the Internal Revenue Service, but only with respect to that sponsorship or administration;

(iii) Any individual who provides tax counseling for the elderly under a program established pursuant to section 163 of the Revenue Act of 1978; and

(iv) Any organization sponsoring or administering a program to provide tax counseling for the elderly established pursuant to section 163 of the Revenue Act of 1978, but only with respect to that sponsorship or administration.

(b) *Substantial preparation.* (1) Only a person (or persons acting in concert) who prepares all or a substantial portion of a return or claim for refund shall be considered to be a preparer (or preparers) of the return or claim for refund. A person who renders advice which is directly relevant to the determination of the existence, characterization, or amount of an entry on a return or claim for refund, will be regarded as having prepared that entry. Whether a schedule, entry, or other portion of a return or claim for refund is a substantial portion is determined by comparing the length and complexity of, and the tax liability or refund involved in, that portion to the length and complexity of, and tax liability or refund involved in, the return or claim for refund as a whole.

(2) For purposes of applying the rule of paragraph (b)(1) of this section, if the schedule, entry, or other portion of the return or claim for refund involves amounts of gross income, amounts of deductions, or amounts on the basis of which credits are determined which are—

(i) Less than $2,000; or

(ii) Less than $100,000, and also less than 20 percent of the gross income (or adjusted gross income if the taxpayer is an individual) as shown on the return or claim for refund,

then the schedule or other portion is not considered to be a substantial portion. If more than one schedule, entry or other portion is involved, they shall be aggregated in applying the rule of this subparagraph (2). Thus, if a person, for an individual taxpayer's return, prepares a schedule for dividend income which totals $1,500 and gives advice making him a preparer of a schedule of medical expenses which results in a deduction for medical expenses of $1,500, the person is not a preparer if the taxpayer's adjusted gross income shown on the return is more than $15,000. This subparagraph shall not apply to a person who prepares all of a return or claim for refund.

(3) A preparer of a return is not considered to be a preparer of another return merely because an entry or entries reported on the return may affect an entry reported on the other return, unless the entry or entries reported on the prepared return are directly reflected on the other return and constitute a substantial portion of the other return. For example, the sole preparer of a partnership return of income or a small business corporation income tax return is considered a preparer of a partner's or a shareholder's return if the entry or entries on the partnership or small business corporation return reportable on the partner's or shareholder's return constitute a substantial portion of the partner's or shareholder's return.

(c) *Return and claim for refund*—(1) *Return.* A return of tax under subtitle A is a return filed by or on behalf of a taxpayer reporting the liability of the taxpayer for tax under subtitle A. A return of tax under subtitle A also includes an information return filed by or on behalf of a person or entity that is not a taxable entity and which reports information which is or may be reported on the return of a taxpayer of tax under subtitle A.

(i) A return of tax under subtitle A includes an individual or corporation income tax return, a fiduciary income tax return (for a trust or estate), a regulated investment company undistributed capital gains tax return, a return of a charitable remainder trust, a return by a transferor of stock or securities to a foreign corporation, foreign trust, or foreign partnership, a partnership return of income, a small business corporation income tax return, and a DISC return.

(ii) A return of tax under subtitle A does not include an estate tax return, a gift tax return, any other return of excise taxes or income taxes collected at source on wages, an individual or corporation declaration of estimated tax, an application for an extension of time to file an individual or corporation income tax return, or an information statement on Form 990, any Form 1099, or similar form.

(2) *Claim for refund.* A claim for refund of tax under subtitle A includes a claim for credit against any tax under subtitle A.

(d) *Persons who are not preparers.* A person shall not be considered to be a preparer of a return or claim for refund if the person performs only one or more of the following services:

(1) Typing, reproduction, or other mechanical assistance in the preparation of a return or claim for refund.

(2) Preparation of a return or claim for refund of a person, or an officer, a general partner, or employee of a person, by whom the individual is regularly and continuously employed or in which the individual is a general partner.

(3) Preparation of a return or claim for refund for a trust or estate of which the person either is a fiduciary or is an officer, general partner, or employee of the fiduciary.

(4) Preparation of a claim for refund for a taxpayer in response to—

(i) A notice of deficiency issued to the taxpayer; or

(ii) A waiver of restriction after initiation of an audit of the taxpayer or another taxpayer if a determination in the audit of the other taxpayer affects, directly or indirectly, the liability of the taxpayer for tax under subtitle A.

For purposes of paragraph (d) (2) of this section, the employee of a corporation owning more than 50 percent of the voting power of another corporation, or the employee of a corporation more than 50 percent of the voting power of which is owned by another corporation, is considered the employee of the other corporation as well. For purposes of paragraph (d)(3) of this section, an estate, guardianship, conservatorship, committee, and any similar arrangement for a taxpayer under a legal disability (such as a minor, an incompetent, or an infirm individual) is considered a trust or estate.

[FR Doc. 80-5359 Filed 2-20-80; 8:45 am]
BILLING CODE 4830-01-M

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26 CFR Part 301

[T.D. 7676]

Allowable Disclosure or Use of Tax Return Information Under Section 7216

AGENCY: Internal Revenue Service, Treasury.

ACTION: Adoption of final regulations.

SUMMARY: This document provides final Regulations on Procedure and Administration relating to allowable disclosure or use of tax return information by tax return preparers under section 7216 of the Internal Revenue Code of 1954. These regulations provide necessary guidance to tax return preparers for compliance with the law.

DATE: These regulations are effective on January 1, 1972.

FOR FURTHER INFORMATION CONTACT: Catherine Kelly Bouknight of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, D.C. 20224, Attention: CC:LR:T, 202-566-3289, not a toll-free call.

SUPPLEMENTARY INFORMATION:

Background

On December 12, 1974, the **Federal Register** published proposed amendments to the Regulations on Procedure and Administration (26 CFR Part 301) under section 7216 of the Internal Revenue Code of 1954 (39 FR 43312). The amendments in the appendix to the notice of proposed rulemaking expand and augment the list of disclosures or uses of tax return information which can be made without violating section 7216(a) and § 301.7216-1. There was no request for a public hearing, and none was held.

After consideration of all comments regarding the proposed amendments, this Treasury decision adopts the amendments, as set forth in full below, to the Regulations on Procedure and Administration. Section 301.7216-2(n), as proposed, has been revised to make clear that a disclosure made in a bona fide though erroneous belief that a crime has been committed is excepted from section 7216(a) and § 301.7216-1.

In addition, a further notice of proposed rulemaking is being published contemporaneously with this Treasury decision. This further notice contains two proposed amendments to certain regulations under section 7216, which regulations are the subject of this Treasury decision.

Explanation of Provisions

Section 7216(a) of the Code provides that, as a general rule, any tax return preparer who discloses or uses any tax return information other than for the specific purpose of preparing, or assisting in the preparation of, any tax return of the taxpayer by or for whom the information was made available to a tax return preparer shall be guilty of a misdemeanor. Section 7612(b)(3) provides that subsection (a) shall not apply to a disclosure or use of information which is permitted by regulations.

These amendments to § 301.7216-2 expand the list of disclosures or uses of tax return information to which the criminal sanction of section 7216(a) does not apply. The propriety of such disclosures or uses under ethical rules of conduct governing the practice of law or accountancy is beyond the scope of the proposed amendments.

Paragraph (c) of § 301.7216-2 is expanded to permit disclosure pursuant to an administrative order, demand, summons, or subpoena issued by any Federal regulatory agency.

Paragraph (e) of § 301.7216-2 expands allowable disclosure and use of tax return information by attorneys and accountants preparing tax returns. An attorney or accountant can use such information, or disclose it to another person in his firm who may use it, to render other legal or accounting services for the taxpayer, or, with the taxpayer's express or implied consent, make the information available to third parties. An attorney or accountant can take tax return information into account and act upon it, or disclose it to another person in his firm to take it into account and act upon it, while performing legal or accounting services for a client other than the taxpayer, where such information is or may be relevant to the services for such other client and its consideration by those performing the services is necessary to perform those services properly, but disclosure or use under this provision is limited to members or employees of the firm, unless such disclosure to an outsider is specifically excepted by another provision of § 301.7216-2 or § 301.7216-3.

Paragraph (n) of § 301.7216-2 permits disclosure of tax return information to Federal or State officials to inform them of activities which may constitute, or may have constituted, a violation of Federal or State criminal laws.

Comments

A number of commenters requested clarification in § 301.7216-2(e) of the scope of a term used in the existing regulations, "lawfully engaged in the practice of law or accountancy." The suggestion was made that disclosure by employees of law or accounting firms who are not themselves lawyers or accountants but who receive tax return information should expressly be excepted from section 7216(a). The reason that lawyers and accountants are excepted from the criminal sanctions of section 7216 is because they are bound by codes of professional conduct and legal strictures that do not apply to nonprofessional employees. Moreover, paragraph (e), by expressly permitting attorneys and accountants to disclose tax return information to employees of their firms, so that such employees may make specified use of such information, by implication permits these employees to disclose such information to an attorney or accountant of the firm.

Another suggestion was to limit "lawfully engaged" to include only those

licensed or registered with local authorities or, alternatively, to include only those admitted to practice before the Internal Revenue Service. This phrase as now used is intended to include only those licensed or registered locally and it is not considered necessary to state this expressly. Expanding the term to include tax return preparers admitted to Internal Revenue Service practice would except from section 7216 persons frequently not bound by professional canons of ethics or local laws, in violation of the rationale of the attorney/accountant exception.

Commenters also criticized another phrase in existing paragraph (e) as overly broad and vague. This paragraph provides that an accountant (and proposed paragraph (e) that an attorney as well) may make disclosure to third parties with the "implied consent" of the taxpayer. The term "implied consent" has been construed with adequate specificity in other areas of law and has sufficiently precise meaning to be commonly understood. This Treasury decision is not intended to alter these phrases, "lawfully engaged in the practice of law or accountancy" and "implied consent", as used in existing § 301.7216–2(e).

Other suggestions concerned the similar treatment of attorneys and accountants. A suggestion was made that the two professions should not be treated identically. While the attorney-client privilege has no exact counterpart in the accounting profession in most States, nonetheless State-licensed accountants are subject to sufficient professional discipline and legal restraint to be excepted with State-licensed attorneys from the sanctions of section 7216(a) and § 301.7216–1. Another proposal was that attorneys and State-licensed accountants should be completely excepted from the criminal provisions of section 7216(a) since professional ethics and State regulation insure "the highest standard of professional conduct." It is believed that this Treasury decision will not unduly hamper the conduct of these professionals and that they should not be completely excepted.

It was suggested that the proposed limit on disclosure pursuant to an administrative order, summons or subpoena in being limited to orders, etc., issued by a *regulatory* agency would probably exclude Internal Revenue Service orders, as well as other nonregulatory agency orders. This proposal has been taken into account in new proposed regulations under § 301.7216–2 contained in the notice of proposed rulemaking published contemporaneously with this Treasury decision. New proposed paragraph (c) would broaden the types of administrative bodies whose orders for disclosure of tax return information will be excepted from the criminal sanction of section 7216(a).

One criticism made was that the proposed rules could easily be construed as mandating unethical conduct by permitting disclosure by tax return preparers notwithstanding confidential relationships and constitutional rights. Code section 7216 and regulations issued thereunder do not mandate but rather decriminalize certain disclosures and uses. The propriety of such action under other laws or under ethical rules of conduct governing the practice of law or accountancy is beyond the scope of the amendments.

With regard to proposed paragraph (n) of § 301.7216–2, concern was expressed that this paragraph might be construed to impose an affirmative duty to disclose the commission of a crime. It is again emphasized that these proposed amendments are merely exceptions to a criminal provision and are not intended to authorize conduct forbidden elsewhere.

Commenters also suggested with respect to paragraph (n) that disclosure made in the bona fide though mistaken belief that a crime has been committed should be excepted. Language has been added to this paragraph to clarify that such good faith disclosure in fact comes under the protection of paragraph (n).

Finally, it was observed that paragraph (n) on disclosure to Federal and State officials omits disclosure to local officials, although disclosure pursuant to the order of a local court is permissible under § 301.7216–2(c). This matter is a subject of the new proposed regulations under § 301.7216–2 contained in the notice of proposed rulemaking published contemporaneously with this Treasury decision.

Drafting Information

The principal author of these regulations is Catherine Kelly Bouknight of the Legislation and Regulations Division of the Office of Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing the regulation, both on matters of substance and style.

Adoption of Amendments to the Regulations

Accordingly, 26 CFR Part 301 is amended by revising § 301.7216–2 (c) and (e) and by adding a new paragraph (n) thereto, to read as follows:

§ 301.7216–2 Disclosure or use without formal consent of the taxpayer.

* * * * *

(c) *Disclosure pursuant to an order of a court or of a Federal regulatory agency.* The provisions of section 7216(a) and § 301.7216–1 do not apply to any disclosure of tax return information if such disclosure is made pursuant to any one of the following documents:

(1) The order of any court of record, Federal, State, or local, or

(2) An administrative order, demand, summons, or subpoena issued by any Federal regulatory agency in the performance of its duties.

Information must be clearly identified in the document in order to be disclosed under this paragraph (c).

* * * * *

(e) *Certain disclosure by attorneys and accountants.* The provisions of section 7216(a) and § 301.7216–1 do not apply to any disclosure of tax return information permitted by this paragraph (e).

(1) A tax return preparer who is lawfully engaged in the practice of law or accountancy and prepares a tax return for a taxpayer may use the tax return information of the taxpayer, or disclose such information to another employee or member of the preparer's law or accounting firm who may use it, to render other legal or accounting services to or for such taxpayer. Thus, for example, a lawyer who prepares a tax return for a taxpayer may use the tax return information of the taxpayer for, or in connection with, rendering legal services, such as estate planning or administration, or preparation of trial briefs or trust instruments, for the taxpayer or the estate of the taxpayer; or if another member of the same firm renders the other legal services for the taxpayer, the lawyer who prepared the tax return may disclose the tax return information to that other member for use in rendering those services for the taxpayer. In further illustration, an accountant who prepares a tax return for a taxpayer may use the tax return information, or disclose it to another member of the firm for use, for, or in connection with, the preparation of books of account, working papers, or accounting statements or reports to or for the taxpayer. Further, in the normal course of rendering such legal or accounting services to or for the

taxpayer, the attorney or accountant may, with the express or implied consent of the taxpayer, make such tax return information available to third parties, such as stockholders, management, suppliers, or lenders.

(2) A tax return preparer who is lawfully engaged in the practice of law or accountancy and prepares a tax return for a taxpayer may (i) take such tax return information into account, and may act upon it, in the course of performing legal or accounting services for a client other than the taxpayer or (ii) disclose such information to another employee or member of the preparer's law or accounting firm to enable that other employee or member to take the information into account, and act upon it, in the course of performing legal or accounting services for a client other than the taxpayer, when such information is or may be relevant to the subject matter of such legal or accounting services for the other client and its consideration by those performing the services is necessary for the proper performance by them of such services. In no event, however, may such tax return information be disclosed to a person who is not an employee or member of the law or accounting firm unless such disclosure is exempt from the application of section 7216(a) and § 301.7216–1 by reason of another provision, other than this paragraph, of § 301.7216–2 or § 301.7216–3.

(3) The application of this paragraph may be illustrated by the following examples:

Example (1). A, a member of an accounting firm, renders an opinion on a financial statement of M Corporation that is part of a registration statement filed with the Securities and Exchange Commission. After the filing of such registration statement, but before its effective date, B, a member of the same accounting firm, prepares an income tax return for N Corporation. In the course of preparing such income tax return, B discovers that N does business with M and concludes that information he is given by N should be considered by A to determine whether the financial statement reported on by A contains an untrue statement of material fact or omitted to state a material fact required to keep the statement from being misleading. B discloses to A the tax return information of N for this purpose. A determines that there is an omission of material fact and that an amended statement should be filed. A so advises M and the Securities and Exchange Commission. A explains that the omission was revealed as a result of confidential information which came to A's attention after the statement was filed, but A does not disclose the identity of the taxpayer or the tax return information itself. Section 7216(a) and § 301.7216–1 do not apply to the foregoing disclosure of N's tax return information by B to A and the use of such information by A in advising M and the Securities and Exchange Commission of the necessity for filing an amended statement. Section 7216(a) and § 301.7216–1 would apply to a disclosure of N's tax return information to M or to the Securities and Exchange Commission unless such disclosure is exempt from the application of section 7216 (a) and § 301.7216–1 by reason of another provision of either § 301.7216–2 or § 301.7216–3.

Example (2). A, a member of an accounting firm, is conducting an audit of M Corporation, and B, a member of the same accounting firm, prepares an income tax return for D, an officer of M. In the course of preparing such return, B obtains information from D indicating that D, pursuant to an arrangement with a supplier doing business with M, has been receiving from the supplier, a percentage of the amounts which the supplier invoices to M. B discloses this information to A who, acting upon it, searches in the course of the audit for indications of such a kickback scheme. As a result, A discovers information from audit sources which also, but independently, indicates the existence of such a scheme. Without revealing the tax return information A has received from B, A brings to the attention of officers of M the audit information indicating the existence of the kickback scheme. Section 7216(a) and § 301.7216–1 do not apply to the foregoing disclosure of D's tax return information by B to A, the use by A of such information in the course of the audit, and the disclosure by A to M of the audit information indicating the existence of the kickback scheme. See also § 301.7216–2(j). Section 7216(a) and § 301.7216–1 would apply to a disclosure to M, or to any other person not an employee or member of the accounting firm, of D's tax return information furnished to B.

* * * * *

(n) *Disclosure to report the commission of a crime.* The provisions of section 7216(a) and § 301.7216–1 do not apply to the disclosure of any tax return information to the proper Federal or State official in order, and to the extent necessary, to inform the official of activities which may constitute, or may have constituted, a violation of Federal or State criminal laws. In addition, such a disclosure made in the bona fide but mistaken belief that the activities constituted a violation of criminal law is not subject to section 7216(a) and § 301.7216–1.

This Treasury decision is issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917, 26 U.S.C. 7805).

Jerome Kurtz,

Commissioner of Internal Revenue.

Approved: January 22, 1980.

Donald C. Lubick,

Assistant Secretary of the Treasury.

[FR Doc. 80-5360 Filed 2-20-80; 8:45 am]

BILLING CODE 4830-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL 1416-7]

Illinois; Approval and Promulgation of Implementation Plans

AGENCY: U.S. Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The United States Environmental Protection Agency (USEPA) announces today final rulemaking on revisions to the Illinois State Implementation Plan (SIP). These revisions were submitted to USEPA by the State to satisfy the requirements of part D of the Clean Air Act (Act). USEPA published a notice of proposed rulemaking on these revisions on July 2, 1979 (44 FR 38587) and a correction notice on September 20, 1979 (44 FR 54500). The notice of proposed rulemaking described the nature of the SIP revisions, discussed provisions which in USEPA's judgment did not comply with the requirements of the Act and requested comments from the State and public. Numerous public comments were received. In addition, on August 29, 1979, the State submitted additional information for inclusion in the SIP and clarified some of the SIP's provisions. Based on its review of the State's response and the public comments, USEPA takes final rulemaking action to approve, conditionally approve, and disapprove specific portions of the Illinois submittal as revisions to the federally approved Illinois State Implementation Plan. This Final Rulemaking action does not address the adequacy of State rules to control particulate emissions from the iron and steelmaking industry. These rules will be addressed in a separate Notice of Proposed Rulemaking.

EFFECTIVE DATE: This final rulemaking becomes effective on February 21, 1980. USEPA has determined that good cause exists for making these revisions immediately effective and deviating from the requirement of 5 U.S.C. Section 553(d) (the Administrative Procedures Act) that substantive rules be published thirty days before their effective date. By making this final rulemaking immediately effective, some of the restrictions on industrial growth contained in section 110(a)(2)(I) of the Clean Air Act will be lifted from the State of Illinois. These restrictions are imposed for failure to have a State Implementation Plan which meets the requirements of Part D after the final date for SIP approval specified in the

Act. USEPA has determined that the Illinois State implementation Plan on the whole, meets the requirements of Part D. Therefore, it would be contrary to the public interest to continue the restrictions on industrial growth for thirty days after the publication of this notice.

ADDRESSES: Copies of the SIP revision, public comments on the Notice of Proposed Rulemaking (44 FR 38587), and USEPA's evaluation and response to comments are available for inspection at the following addresses:

U.S. Environmental Protection Agency, Region V Air Programs Branch, 230 South Dearborn Street, Chicago, Illinois 60604.

U.S. Environmental Protection Agency, Public Information Reference Unit, 401 M Street, SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Mr. Gary Gulezian, Acting Chief, Regulatory Analysis Section, Air Programs Branch Region V, U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604, (312) 886-6053.

SUPPLEMENTARY INFORMATION: On March 3, 1978 (43 FR 8962) and on October 5, 1978 (43 FR 45993), pursuant to the requirements of section 107 of the Clean Air Act (Act), as amended in 1977, USEPA designated certain areas in each state as nonattainment with respect to National Ambient Air Quality Standards (NAAQS) for total suspended particulates (TSP), sulfur dioxide (SO_2), carbon monoxide (CO), ozone (O_x), and nitrogen dioxide (NO_2).

Part D of the Act, added by the 1977 amendments, requires each state to revise its SIP to meet specific requirements for areas designated as nonattainment. These SIP revisions must demonstrate attainment of the primary National Ambient Air Quality Standards by December 31, 1982, and in certain circumstances no later than December 31, 1987 for ozone and/or carbon monoxide. The requirements for an approvable SIP are described in a **Federal Register** notice published April 4, 1979 (44 FR 20372). Supplements to the April 4, 1979 notice were published on July 2, 1979 (44 FR 38583), August 28, 1979 (44 FR 50371), September 17, 1979 (44 FR 53761), and November 23, 1979 (44 FR 67182).

On April 3, 1979, the State of Illinois submitted a draft SIP to USEPA to satisfy the requirements of Part D. USEPA published a notice of proposed rulemaking on these draft revisions on July 2, 1979 (44 FR 38587) and a correction notice on September 20, 1979 (44 FR 54500). The notice of proposed rulemaking described the nature of the SIP revisions. The notice also specified areas of the SIP submittal which in USEPA's judgment did not comply with the requirements of the Clean Air Act and needed either clarification or correction by the State. In its August 29, 1979 submittal, the State of Illinois submitted additional information for inclusion in the SIP and clarified some of the provisions in the submittal. In addition, USEPA received numerous public comments on the Illinois submittal and on USEPA's proposed action on it. Significant comments and USEPA's response to them are discussed where applicable below.

In the July 2, 1979 notice, USEPA indicated that the regulations in the State's submittal were preliminarily adopted by the Illinois Pollution Control Board (IPCB) and would be finally adopted after completion of necessary State administrative procedures. The notice of proposed rulemaking indicated that the nonregulatory portions of the SIP would not be adopted by the Illinois Environmental Protection Agency (Illinois EPA) until the completion of public hearings. USEPA stated that until all State administrative requirements were satisfied, it would not complete Federal rulemaking on the SIP revisions. USEPA also indicated that any substantive changes in the final SIP which were not discussed or anticipated in the Notice of Proposed Rulemaking would be addressed in a supplemental Notices of Proposed Rulemaking. On November 16, 1979, December 21, 1979, and January 25, 1980 USEPA received letters from the State which demonstrated that, with the exception of regulations relating to malfunctions, all regulations were finally adopted and that the Illinois EPA had adopted the nonregulatory portions of the SIP. USEPA's review of these finally enacted regulations indicates that changes were made in some of the regulations after the publication of the Notice of Proposed Rulemaking on July 2, 1979. USEPA takes no rulemaking action today in regard to the changed portions of the regulations. USEPA has reviewed the changes and has determined that deferring rulemaking on these changes does not alter USEPA's final determinations announced today. Changes were made in the following regulations.

Illinois Air Pollution Regulations 203(f)

a. An exemption has been added to Rule 203(f)(3)(A) which lifts control requirements from storage piles if the owner or operator of the pile proves that fugitive emissions from the pile do not cross the property line.

b. Rule 203(f)(3)(C) which restricted emissions from conveying operations to 10% opacity has been deleted in the final rule. Conveyors are now subject to the provisions of Rule 203(f)(3)(E).

Rules for Issuance of Permits to New or Modified Air Pollution Sources Affecting Nonattainment Areas

a. Section 4.11 contains new materials to include as allowable emissions "a reasonable estimate of emissions in excess of applicable standards during start-up, malfunctions, or breakdown".

b. A definition of "reconstruction" has been added to Section 4.7.

c. New Sections 5.1(a)(2)(ii) and 5.1(a)(2)(iii) are reserved by the State.

d. A procedure allowing external offsets is contained in Section 10.

Illinois Air Pollution Regulation 205

a. Rule 205(k)(1) has been changed so that an owner or operator satisfying the requirements of Rule 205(k)(1) (A) or (B) is exempt from *all* provisions of Rules 205(k) (2) and (3).

USEPA will solicit public comment on these changes in a Notice of Proposed Rulemaking to be published shortly.

This **Federal Register** notice addresses public comments in two parts: (1) General comments on the Illinois SIP and on the criteria used by USEPA to evaluate all SIPs; and (2) Comments on specific portions of the Illinois submittal and on USEPA's evaluation of specific portions of the SIP. The second part of this notice briefly identifies by pollutant or topic the deficiencies cited in the July 2, 1979 **Federal Register** notice, discusses both the State's response and the response of other commentors, and contains USEPA's reponse to comments and its final determinations.

USEPA's final determinations take one of three forms: approval, conditional approval, or disapproval. A discussion of conditional approval and its practical effect appears in the July 2, 1979 **Federal Register** (44 FR 38583) and in the November 23, 1979 **Federal Register** (44 FR 67182). The conditional approval requires the State to submit additional materials by specified deadlines negotiated between the State and the USEPA Regional Office. Schedules submitted by Illinois will be proposed for public comment in a **Federal Register** to be published shortly. Although public comment is solicited on the deadlines, and the deadlines may be changed in light of the comments, the state remains bound by its commitment to meet the proposed deadlines, unless they are changed. USEPA will follow the procedures described below when determining if requirements of conditional approval have been met:

1. When the State submits the required additional documentation,

USEPA will publish a notice in the **Federal Register** announcing receipt and availability of the material for public comment. The notice will also announce that the conditional approval is continuing pending USEPA's final action in the submission.

2. USEPA will evaluate the State's submission and public comment on the submission to determine if noted deficiences have been fully corrected. After review is complete, a **Federal Register** notice will either fully approve the plan if all conditions have been met, or withdraw the conditional approval and disapprove the plan. If the plan is disapproved the Section 110(a)(2)(I) restrictions on construction will be in effect.

3. If the State fails to submit the required materials according to the negotiated schedule, USEPA will publish a **Federal Register** notice shortly after the expiration of the time limit for submission. The notice will announce that the conditional approval is withdrawn, the SIP is disapproved, and Section 110(a)(2)(I) restrictions on growth are in effect.

The following chart summarizes generally the actions taken by USEPA today on the Illinois submittal:

1. *Approval.*

a. Inspection and Maintenance.

b. Transportation Control Plans for the Springfield Area, the Rockford Area, the Rock Island-Quad Cities Area, and the Decatur, Champaign-Urbana, Bloomington-Normal Areas.

c. Commitment to Adopt Additional Emission Limitations Representing RACT for Source Categories covered in Future CTGs

d. Extensions until December 31, 1987 of the statutory attainment deadline for ozone and carbon monoxide in the Northeast Illiniois Nonattainment Area and for ozone in the Illinois portion of the St. Louis Metropolitan Nonattainment area.

e. Particulate Nonattainment Demonstration Approach.

2. *Conditional Approval.*

a. Carbon Monoxide Control Strategy.

b. Nitrogen Dioxide Control Strategy.

c. Transportation Control Plans for Peoria Metropolitan Area, the Illinois Portion of the St. Louis Metropolitan Area, Northeastern Illinois (Chicago) Area.

d. Portions of Rule 205 and the Ozone Attainment Strategy.

e. Sulfur Dioxide Control Strategy.

f. Rule 203(f) and the Total Suspended Particulate Control Strategy.

g. New Source Review.

3. *Disapproval.*

a. Compliance Schedule in new Rule 205(j) for all emission sources subject to Rule 205(b), as approved by USEPA May 31, 1972, which were required to be in compliance with old Rule 205(j) by December 31, 1973.

b. Use of equivalent methods in Rule 203(f) without review or approval. Any source utilizing an equivalent method must submit the operating program containing the equivalent method to USEPA as a SIP revision.

4. *No Action.*

a. General requirements of the Clean Air Act which are not Part D requirements (Sections 121, 126, 127, 128, 110(a)(2)(K) and Part C). Final rulemaking on these portions of the SIP will be in a separate **Federal Register** notice to be published shortly.

b. Illinois Iron and Steel Particulate Regulations. A notice of proposed rulemaking on these provisions will be published shortly in a separate **Federal Register** action.

c. Maintenance-Malfunction Regulations. Final Rulemaking will be taken by USEPA upon certification by the State that the rules are fully adopted and effective in Illinois.

d. Those portions of Rule 205(k), 203(f) and the Rules for Issuance of Permits to New or Modified Air Pollution Sources Affecting Nonattainment Areas which were identified above as containing changes made between the publication of the July 2, 1979 Notice of Proposed Rulemaking and this final rulemaking action.

5. *Final Action.*

a. On January 30, 1980 (45 FR 6786), USEPA completed final rulemaking on designation changes requested by the State in its April 3, 1979 submittal to USEPA. USEPA proposed rulemaking on these designation changes on July 2, 1979 (44 FR 38587) and corrected errors in the proposal on September 20, 1979 (44 FR 54500).

The following sections will discuss general and pollutant specific deficiencies in the Illinois SIP noted by USEPA in the July 2, 1979 Notice of Proposed Rulemaking, State and public comment in response to that Notice, and USEPA's final determinations and rulemaking actions.

National Comments and General Comments on the Illinois SIP

Comment and Response: One commentor submitted extensive comments which it requested be considered part of the record for each State plan. Each of the points raised by the commentor and USEPA's response follow. Although some of the issues raised are not relevant to provisions in Illinois' submission, USEPA is notifying the public of its response to these comments at this time.

1. The commentor asked that comments it has previously submitted on the Emission Offset Interpretative Ruling as revised on January 16, 1979 (44 FR 3274), be incorporated by reference as part of their comments in its response to comments on the Offset Ruling.

2. The commentor objected to general policy guidance issued by USEPA, on grounds that USEPA's guidance is more stringent than required by the Act. Such a general comment concerning USEPA's guidance is not relevant to USEPA's decision to approve or disapprove a SIP revision since that decision rests on whether the revision satisfies the requirements of Section 110(a)(2). However, USEPA has considered the comment and concluded that its guidance conforms to the statutory requirements.

3. The commentor noted that the recent court decision on USEPA's regulations for prevention of significant deterioration (PSD) of air quality affects USEPA's new source review (NSR) requirements for Part D plans as well. (The decision is *Alabama Power Co.* v. *Costle,* 13 ERC 1225 (D.C. Cir., June 18, 1979). In the commentor's view, the court's rulings on the definition of "source," "modification," and "potential to emit" should apply to Part D as well as PSD programs. In addition, the commentor believes that the court decision precludes USEPA from requiring Part D review of sources located in designated "clean" areas.

The preamble to the Emission Offset Interpretative Ruling, as revised January 16, 1979, explains that the interpretations in the Ruling of the terms "source," "major modification," and "potential to emit," and the areas in which NSR applies, govern State plans under Part D. (44 FR 3275 col. 3 through 3276 col. 1, January 16, 1979.) In proposed rules published in the **Federal Register** on September 5, 1979 (44 FR 51924), USEPA explained its views on how the *Alabama Power* decision affects NSR requirements for State Part D plans. The September 5, 1979 proposal addressed some of the issues raised by the commentor. To the extent necessary, USEPA will respond in greater detail to the commentors' concerns in its response to comments on the September 5, 1979, proposal and/or its response to comments on the Offset Ruling.

As part of the September 5, 1979 proposal, USEPA proposed regulations for Part D plans in section 40 CFR 51.18(j). USEPA also proposed to approve a SIP revision prior to the promulgation of final regulations if the SIP revision satisfies either existing USEPA requirements, or the proposed regulations.

USEPA proposed to approve State-submitted relaxations of previously-submitted SIPs prior to the promulgation of final regulations, so long as the revised SIP meets all proposed USEPA requirements. To the extent USEPA's final regulations are more stringent than the existing or proposed requirements, States will have nine months after the promulgation of final regulations to correct the SIP, as provided in Section 406(d) of the Act.

In some instances, USEPA's approval of a State's corrected NSR provisions (as revised to be consistent with USEPA's proposed or final regulations) may create the need for the State to revise its growth projections and provide for additional emission reductions. States will be allowed additional time for such revisions after the new NSR provisions are approved by USEPA.

4. The commentor questioned USEPA's alternative emission reduction options policy (the "bubble" policy). As the commentor noted, USEPA set forth its proposed bubble policy in a separate **Federal Register** publication. 44 FR 3720 (January 18, 1979). USEPA responded to the comments on the "bubble" approach in the final "bubble" policy statement. 44 FR 71780 (December 11, 1979).

5. The commentor questioned USEPA's requirement for a demonstration that application of all reasonably available control measures (RACM) would not result in attainment any faster than application of less than all RACM. In USEPA's view, the statutory deadline is that date by which attainment can be achieved as expeditiously as practicable. While there is no requirement to apply more RACM than is necessary for attainment, there is a requirement to apply controls which will insure attainment as soon as possible. Consequently, the State must select the mix of control measures that will achieve the standards most expeditiously, as well as assure reasonable further progress.

The commentor also suggested that all RACM may not be "practicable." By definition, RACM are only those measures which are reasonable. If a measure is impacticable, it would not constitute a reasonably available control measure.

6. The commentor found the discussion in the General Preamble of reasonably available control technology (RACT) for VOC sources covered by Control Technique Guidelines (CTGs) to be confusing in that it appeared to equate RACT with the guidance in the CTGs. USEPA did not intend to equate RACT with the CTGs. The CTGs provide recommendations to the States for determining RACT, and serve as a "presumptive norm" for RACT, but are not intended to define RACT. Although USEPA believes its earlier guidance was clear on this point, the Agency has issued a supplement to the General Preamble clarifying the role of the CTGs in plan development. *See* 44 FR 53761 (September 17, 1979).

7. The commentor suggested that the revision of the ozone standard justified an extension of the schedule for submission of Part D plans. This issue has been addressed in the General Preamble, 44 FR 20377 (April 4, 1979).

8. The commentor questioned USEPA's authority to require States to consider transfers of technology from one source type to another as part of LAER determinations. USEPA's response to this comment will be included in its response to comments on the revised Emission Offset Interpretative Ruling.

9. The commentor suggested that if a State fails to submit a Part D plan, or the submitted plan is disapproved, USEPA must promulgate a plan under Section 110(c), which may include restriction on construction as provided in Section 110(a)(2)(I). In the commentor's view, the Section 110(a)(2)(I) restriction cannot be imposed without such a federal promulgation. USEPA has promulgated regulations which impose restrictions on construction on any nonattainment area for which a State fails to submit an approvable Part D plan. *See* 44 FR 38583 (July 2, 1979). Section 110(a)(2)(I) does not require a complete federally-promulgated SIP before the restrictions may go into effect.

Comment: Another commentor, a national environmental group, stated that the requirements for an adequate permit fee system (Section 110(a)(2)(K) of the Act), and proper composition of State boards (Sections 110(a)(2)(F)(vi) and 128 of the Act) must be satisfied to assure that permit programs for nonattainment areas are implemented successfully. Therefore, while expressing support for the concept of conditional approval, the commentors argued that USEPA must secure a State commitment to satisfy the permit fee and State board requirements before conditionally approving a plan under Part D. In those States that fail to correct the omission within the required time, the commentors urged that restrictions on construction under Section 110(a)(2)(I) of the Act must apply.

Response: To be fully approved under Section 110(a)(2) of the Act, a State plan must satisfy the requirements for State boards and permit fees for all areas, including nonattainment areas. Several States have adopted provisions satisfying these requirements, and USEPA is working with other States to assist them in developing the required programs. However, USEPA does not believe these programs are needed to satisfy the requirements of Part D. Congress placed neither the permit fee nor the State board provision in Part D. While legislative history states that these provisions should apply in nonattainment areas, there is no legislative history indicating that they should be treated as Part D requirements. Therefore, USEPA does not believe that failure to satisfy these requirements, is grounds for conditional approval under Part D, or for application of the construction restriction under Section 110(a)(2)(I) of the Act.

One commenter, a steel company, submitted extensive comments on issues of Agency policy. The comments and Agency responses follow.

The commenter stated that EPA has no authority under the statute to consider "enforceability" by reviewing state provisions for "clarity and specificity." *See* General Preamble, 44 FR 20373 (April 4, 1979). Section 110 generally requires that a plan be enforceable. *See* Section 110 (a)(1), (a)(2)(D). Based on those requirements, EPA must determine whether a plan is, in fact, enforceable. The requirements for enforceability would not be satisfied by unclear or imprecise plan provisions. Vagueness as to regulatory requirements or applicability would make it difficult, if not impossible, to enforce regulations against specific sources.

The commenter also questioned EPA's authority to review plans for "stringency." EPA must review a plan to determine if it meets all requirements of the Act. In particular, EPA must review the state's overall control strategy to assure the entire plan ensures attainment and maintenance of standards as expeditiously as practicable. A plan cannot be disapproved if it is more stringent than necessary to achieve that goal.

The commenter challenged EPA's authority to "consider" relaxations or revocations of existing plan requirements and EPA's "continuity" policy. The Administrator has not precluded States from relaxing or revoking existing plan requirements if the new requirements ensure reasonable further progress and standard attainment as expeditiously as practicable. The statute, however, is clear that attainment must be achieved as expeditiously as practicable and that December 31, 1982, is the last permissible attainment date, not merely a statutory goal. Section 172(a)(1). As noted earlier in this preamble, Congress

in enacting the 1977 Amendments did not intend the 1982 attainment date to authorize relaxations or delays in compliance with old requirements. See 123 Cong. Rec. H 11958, (daily ed., November 1, 1977) (Remarks of Rep. Rogers), quoted *infra*. The Administrator therefore believes it would be inconsistent with the Congressional intent to permit relaxation or revocation of existing requirements. As discussed in General Preamble at 44 FR 20373–20374, (April 4, 1979) EPA's continuity policy reflects and is consistent with the Congressional intent to prevent avoidance of pre-existing plan requirements.

The commenter perceives a conflict between EPA's continuity policy and the Agency's policy to deny credit for emission reductions attributed to measures that cannot be implemented or enforced. The continuity policy is intended to prevent compliance date extensions for pre-existing requirements. It does not, however, disallow all relaxations of plan requirements. If a pre-existing regulation was demonstrated by the state to be unenforceable, the state would be required to develop new regulations to achieve attainment. New, less stringent regulations which achieve attainment would be acceptable as long as the state does not extend the compliance date beyond the date in the existing plan. In addition, the state could not reply on emission reductions due to the old unenforceable regulation. If a state demonstrated that a regulation was unenforceable, EPA would, on a case-by-case basis, permit the state to revoke the old regulation from its plan. At the same time, the state would be required to develop a new mix of regulations to attain and maintain standards as expeditiously as practicable. Permitting revocation of unenforceable regulations is consistent with EPA's policy to permit revocation of old regulations that are incompatible with new, more stringent requirements. See 44 FR 20374, April 4, 1979.

A state is permitted to submit any mix of emission limitations that will achieve reasonable further progress and attainment as expeditiously as practicable even if the mix includes regulations that may currently be economically and technologically infeasible. EPA could not disapprove these regulations on grounds of economic and technological feasibility. EPA may, however, find that full implementation of a regulation will not result in the amount of emission reductions claimed by a State. In such cases, EPA must limit a State's credit for emission reductions to those reductions which can be achieved if the regulation is fully implemented. In some cases, EPA may deny emission reductions credit because enforcement of a regulation is impracticable or impossible. In either situation, EPA would be denying credit because the state had misjudged emission reductions available through a regulation, and not because the regulation was technologically or economically infeasible. There is no inconsistency between the continuity policy and the Agency's obligation to insure that a state's attainment demonstration is realistic.

The commenter questions EPA's authority to establish "mandatory policies" for a state's preconstruction review program. As indicated in the General Preamble, 44 FR 20378–80, (April 4, 1979), EPA believes these policies are required by and reflect the statutory requirements in Sections 172 and 173 and the Agency's revised Emission Offset Interpretative Ruling.

The commenter also argues that EPA's policy of conditional approval is not sanctioned by the Clean Air Act. The commenter believes that EPA must promulgate a federal SIP and comply with procedural requirements for such promulgation if the Administrator finds a state plan inadequate. The commenter claims that conditional approval circumvents the procedural safeguards of Section 307 of the Act and coerces state modification of the plan through threat of disapproval.

In the Administrator's view, conditional approval provides procedural safeguards equivalent to those available when the Administrator promulgates a plan. A discussion of conditional approval and its practical effect appears in supplements to the General Preamble published on July 2, 1979 (44 FR 38583) and November 23, 1979 (44 FR 67182). In the case of Illinois, for example, the Administrator has proposed to conditionally approve certain provisions. The commenter has had an opportunity to submit extensive written comments and receive EPA's response. Today's final conditional approval may be challenged in the appropriate United States Court of Appeals within 60 days. The rulemaking and judicial review procedures thus provide opportunities for comment and review similar to those provided for promulgations under Section 307(d).

Conditional approval is also consistent with the Administrator's obligation under Section 110(c)(1)(C). That subsection requires the Administrator to promulgate regulations for a state if "the state fails, within 60 days after notification by the Administrator or such later period as he may prescribe, to revise an implementation plan as required pursuant to a provision of its plan referred to in subsection (a)(2)(H)." When the Administrator proposes conditional approval, he is essentially notifying the state that further revisions are required to make the plan or regulations fully approvable. If the state fails to satisfy the Administrator's conditions, the Administrator will disapprove the plan or regulations and may then promulgate regulations to correct the deficiency. The state is simply offered the option of correcting the inadequacies itself.

The commenter questioned what rules are in effect if a plan or regulation is conditionally approved. EPA intends that the conditionally approved requirements be effective unless the conditional approval is withdrawn for failure to meet the conditions. The commenter argues that sources are prejudiced by this result, since they are required to comply with rules that may be significantly altered. Because conditional approval is applicable only to plans or regulations with relatively minor deficiencies, it is highly improbable that conditionally approved provisions will be substantially changed. In addition, notices of proposed and final conditional approval, such as today's final action, provide adequate notice to sources of the requirements they will ultimately have to meet if the conditions are met.

The Commenter commented that USEPA has failed to wait for a legally adopted revised plan to be submitted by Illinois before publishing a Notice of Proposed Rulemaking, has failed to adhere to the requirements of Section 110 of the Act in reviewing the revised plan, and has failed to give interested persons an opportunity to review and comment on a legally adopted revised plan.

As stated elsewhere in this Notice, any significant changes made in the SIP between the submittal of the draft on April 25, 1979 and the submittal of the final SIP during the comment period on the Notice of Proposed Rulemaking have been removed from the final SIP and will be the subject of a separate Notice of Proposed Rulemaking. With the exception of these changes, the final regulations were substantially the same as the draft regulations addressed in the Notice of Proposed Rulemaking. Therefore, an adequate opportunity has been provided for interested persons to comment on the plan and its regulations

which are the subject of today's final rulemaking.

This procedure permits interested persons to comment on the plan while expediting the rulemaking process. By using these procedures, USEPA also expedites the removal of the growth restrictions contained in section 110(a)(2)(I) of the Act while assuring attainment of the National Ambient Air Quality Standards.

Plan Requirements for Nonattainment Areas

In addition to the general requirements applicable to all State Implementation Plan revisions, the revised plan must satisfy the requirements of Part D of the Act. In the July 2, 1979 Notice of Proposed Rulemaking, USEPA indicated that the proposed revision to the Illinois SIP did not meet the requirements of section 172(b)(9) of the Act because it did not include an identification and analysis of the air quality, health, welfare, economic, energy, and social effects of the plan provisions chosen, the alternatives considered, and a summary of the public comment on the analysis. USEPA believes that the State has satisfied this requirement through discussions in the original SIP submittal, the submittal of supplemental information identifying and analyzing the impact areas, and the submittal of a summary of public comments.

Total Suspended Particulates

Part D of the Clean Air Act requires State Implementation Plans to include strategies and regulations adequate to attain the National Ambient Air Quality Standards as expeditiously as practicable but not later than December 31, 1982, and, in the interim, to provide reasonable further progress toward attainment through the application of RACT. Where attainment cannot be demonstrated despite the application of reasonably available control technology to traditional sources of particulate matter, USEPA will accept as a basis for approval a commitment by the State to conduct additional studies on the causes for particulate non-attainment, including the degree to which non-traditional area sources of particulate matter affect air quality and to develop and to submit to USEPA additional enforceable strategies adequate to demonstrate attainment of the primary standards by the statutory attainment date.

The Illinois particulate control strategy relies on existing regulations and new regulations which deal with particulate emissions from iron and steel mills, from industrially related fugitive dust, and from malfunctions. As discussed below, USEPA is conditionally approving Rule 203(f) relating to fugitive dust as part of the federally approved SIP and is deferring action on Rules 101, 103, and 105 relating to malfunctions. USEPA will propose rulemaking on the adequacy of regulations to control particulate emissions from iron and steel sources in a separate **Federal Register** notice.

USEPA has determined that with the exception of iron and steel sources Rule 203 represents RACT for traditional sources of particulates. As discussed above, USEPA makes no determination at this time on the adequacy of controls on iron and steel sources. In the July 2, 1979 notice of proposed rulemaking, USEPA stated its opinion that the Illinois SIP submittal did not adequately document that the level of control technology for sources covered under the process weight regulations of Rules 203(a) and (b) represented RACT. In response, the State submitted the results of a study demonstrating that the degree of control required by Rules 203(a) and (b) is not only nearly equal to that which would be obtained by following USEPA RACT guidance but also is more cost effective. In addition, one industry submitted the comment that the process weight regulations of Rules 203(a) and (b) require the application of RACT pursuant to USEPA's own regulations at 40 CFR Part 51 Appendix B. Although USEPA believes that Rules 203(a) and (b) represent RACT, it does not conclude this because of the examples contained in Appendix B. USEPA bases its determination on the information submitted by the State.

Despite the application of regulations representing RACT for traditional sources of particulate matter, analysis conducted by Illinois demonstrates that attainment of the primary particulate standard will not be achieved by December 31, 1982. Therefore, the Illinois SIP contains a commitment to conduct studies on non-traditional particulate sources, propose new regulations, and require compliance with the new regulations no later than December 31, 1982. USEPA proposed to approve this commitment if the State submitted a more detailed schedule for the completion of the studies and the adoption of new regulations.

The State's August 29, 1979 submittal satisfactorily outlined a detailed plan to study the causes of particulate nonattainment and to develop strategies to attain and maintain the particulate standards. The studies will focus on the ambient impact of non-traditional sources of particulates, methods for controlling non-traditional sources, and the extent to which traditional sources with RACT controls contribute to particulate nonattainment. The State has further committed itself to complete an attainment strategy based on the studies by December 31, 1981 and to propose any additional measures necessary to attain and maintain the particulate standards to the Illinois Pollution Control Board by December 31, 1981.

Because the State has demonstrated that attainment is not possible despite the application of RACT to traditional sources of particulates and has made a satisfactory commitment to study the causes of particulate nonattainment and to adopt additional regulations to achieve attainment, USEPA approves the State's approach to demonstrating attainment and conditionally approves the overall Illinois particulate SIP with the exception of the portions of it addressing iron and steel sources. Therefore, the growth prohibition of Section 110(a)(2)(I) of the Act continues to apply only in those particulate nonattainment areas containing iron and steel sources. Specific conditions which must be satisfied by the State are outlined below in the discussion of each regulation.

The July 2, 1979 Notice of Proposed Rulemaking identified deficiencies in the Illinois attainment demonstration which USEPA stated must either be clarified or be corrected in the attainment demonstration to be submitted by December 31, 1981. USEPA stated that, in its opinion, the attainment demonstration claimed emission reduction credits for strategies either not yet included in the SIP or not clearly enforceable under the SIP. USEPA cited two examples. One example was the lack of enforceability of the proposed fugitive emission regulation. USEPA addresses this issue in the discussion below on Rule 203(f). A second example was the claiming of emission reduction credits for area source controls when regulations to control non-traditional area sources have not been developed. In the State's response to this deficiency, Illinois identified the basis for emission reduction credits included in the SIP for nontraditional area sources. The State noted that the studies it has committed itself to perform will better define non-traditional area source emissions so cthat enforceable, control strategies can be included in the SIP. USEPA believes that since a demonstration showing attainment will not be submitted until December 31, 1981, this issue need not be further resolved at this time. When the State has completed the studies and

promulgated appropriate regulations, USEPA and the public will have the opportunity to evaluate the acceptability of emission reduction credits claimed in the final attainment demonstration.

Another deficiency identified by USEPA in the July 2, 1979 **Federal Register** notice was that the attainment demonstration did not address the impact on ambient air quality of Illinois Pollution Control Board variances. The State's August 29, 1979 submittal explained how the SIP addressed the variances. According to the State, the modeling analysis accounted for variances by considering all sources at their actual emission rates during the base year. Therefore, sources with variances were analyzed as they were actually operating in the base year, (i.e. with a variance). The State notes that analyses conducted for 1982, 1985 and 1995 assumed that each source was operating in compliance with existing air quality regulations. These analyses further assumed that there were no variances since, with one exception, all current variances granted by the State will have expired prior to 1982. The State concludes that all future variances granted by the State will be addressed in the annual reasonable further progress submittals to USEPA.

On this issue, one industrial commentor argues that pursuant to "Train v. NRDC", 421 U.S. 60 (1975), where variances are pre-attainment date variances, they need not be considered by a State in developing its attainment strategy since reductions will occur in the interim under the plan as a whole, and the individual variances call for additional pre-attainment date reductions. USEPA disagrees with the commentor's interpretation of "Train v. NRDC". Although that case dealt with the validity of a variance provision insofar as it authorized variances effective before an attainment date, it neither stated that variances need not be considered by the State in developing its strategy to attain the standards nor distinguished between pre- and post-attainment periods. The Court held that the revision mechanism of the Clean Air Act is available for the approval of those variances which do not compromise the basic statutory mandate that the national ambient air quality standards be attained within the statutory timetable and maintained thereafter. In order to make this determination, the variances must be accounted for in the attainment demonstration.

USEPA believes that the State has satisfactorily clarified how variances were included in the preliminary attainment demonstration.

In accordance with Section 110(I) and USEPA regulations, any variances granted by the State must be submitted as SIP revisions.

Fugitive Particulate Emission Control Regulations

Fugitive particulate emissions from industrial sources are regulated by Rule 203(f) of the Illinois Air Pollution Control Regulations. In the July 2, 1979 Notice of Proposed Rulemaking, USEPA identified seven areas of Rule 203(f) which, in USEPA's judgment, were deficient. The following discussion identifies the deficiency, summarizes the State's response, discusses any significant public comments, and contains USEPA's response to comments and its final determination.

1. Rule 203(f) requires sources to operate under the provisions of an operating program prepared by the source. The program may employ alternative methods of control for fugitive particulates as long as the alternative is equivalent to the controls specified in the regulation. Although the operating programs must be submitted to the State for review, the regulation does not provide for approval or disapproval of the operating programs by the State. Consequently, USEPA questioned whether these programs were enforceable emission limitations and whether any air quality demonstration taking credit for the impact of this regulation would significantly over-estimate emission reductions.

State Response: The State indicated that the rule is enforceable since failure to develop and follow an operating program "designed to significantly reduce fugitive particulate emissions" is a violation of the Illinois Environmental Protection Act and of Rule 203(f)(3)(F). Therefore, according to the State, although the specific details of the operating program cannot be approved by the State, the use of a program which significantly reduces particulate emissions is an enforceable requirement in Illinois.

Public Comments: Two utilities and two companies submitted comments on this issue. One utility urged USEPA to retain the flexibility of the rule which allows each source to prepare its own program. Another utility commented that an operating program should be deemed effective "unless it produces violations at an unacceptable frequency." One industrial comment echoed the State's response that the regulations already contain an enforcement mechanism in the requirements that each source prepare and follow an operating program. The industry stated that failure of a source to implement its operating program is a violation of the regulation. The industry further stated that Illinois is entitled to the emission reduction credit claimed for implementation of fugitive particulate emission control from industrial sources and that denying this credit violates the spirit of the Supreme Court's ruling in "Train v. NRDC", 421 U.S. 60 (1975). Citing USEPA's Oil Pollution Prevention Regulations as an example of operating programs which do not require approval, another industry argues that the fugitive dust operating programs do not require approval by the State.

USEPA Response: With one exception, USEPA concurs with the State and the commentors that Rule 203(f) contains an adequate enforcement mechanism. In addition of the substantive criteria for the control of fugitive emissions, Rule 203(f) contains provisions allowing sources to control fugitive emissions through "equivalent methods" incorporated into a source's operating program. These equivalent methods, as part of a source's operating program, are not subject to State approval or disapproval. Therefore, although the State and USEPA have approved the substantive requirements of the regulation which will be contained in individual operating permits, the State and USEPA do not have an opportunity to determine whether an equivalent method of control represents RACT. This is unacceptable under the requirements of Section 172 of the Clean Air Act. Therefore, USEPA approves Rule 203(f) as part of the federally approved Illinois SIP but does not approve of the use of equivalent methods which have not been approved by USEPA. Any source utilizing an equivalent method must submit the operating program containing the equivalent method to USEPA as a SIP revision in order to be in compliance with the federally approved SIP.

In response to the comment that Illinois is entitled to emission reduction credit for fugitive particulate emission control, USEPA references its response above on the Illinois attainment demonstration. USEPA and the public can comment on the acceptability of claimed emission reduction credits when the State submits its final attainment demonstrations.

2. Rule 203(f) does not apply to all particulate primary nonattainment areas. Illinois stated in its SIP submittal that the rule applies to those primary nonattainment areas with existing major

sources of fugitive particulate matter. USEPA noted that this was acceptable if the rule included a provision to require controls on new fugitive particulate sources which locate in a nonattainment county not specifically covered by this rule.

State Response: According to the State, although Rule 203(f) does not apply to industrial sources of fugitive particulate matter locating in nonattainment areas not listed in the Rule, all sources locating in nonattainment areas are regulated by the "Rules for Issuance of Permits to New or Modified Air Pollution Sources Affecting Nonattainment Areas". Therefore, any new, major fugitive source is required to install constant emissions controls so that the lowest achievable emission rate results. The State believes that this requirement is more stringent than the emission standards imposed by Rule 203(f).

USEPA Response: Based on the State's response and the absence of any public comments on this issue, USEPA believes that the State has satisfactorily addressed USEPA's concern that new fugitive sources locating in nonattainment areas will be adequately controlled.

3. Rule 203(f) exempts sources from control requirements if emissions from storage piles, conveyor loading operations and access areas surrounding storage piles are less than 50 tons per year. In the Notice of Proposed Rulemaking, USEPA questioned whether this represented RACT for these source categories.

State Response: The State of Illinois has made a commitment to conduct an analysis of the potential air quality impact from storage piles with uncontrolled emissions of less than 50 tons/year. According to the State, this analysis will consist of the development of a technical support document containing a comprehensive emissions inventory of these sources and an assessment of their impact on nonattainment problems. If this analysis indicates that these sources have a significant impact on air quality, the State will submit regulations to the Illinois Pollution Control Board by December 30, 1980 requiring reasonably available control technology on these sources.

Public Comments: One industry commented that USEPA's concern over the exemption from controls of storage piles ignores the Supreme Court's interpretation of USEPA's limited role in reviewing state implementation plans set out in "Train v. NRDC", 421 U.S. 60 (1975). The commentor states that it is Illinois' right to select whatever mix of controls it chooses so long as the result is attainment. According to the commentor, it is USEPA's duty to accept the mix.

USEPA Response: USEPA does not disagree with the industrial commentor's statement that, within certain statutory limits, it is the State's right to select the mix of strategies so long as the result is attainment. USEPA notes, however, that the State of Illinois has not demonstrated that the mix of strategies it has selected result in attainment. Therefore, the comment is inappropriate. USEPA discusses the State's particulate attainment demonstration elsewhere in this Notice.

Based on the State's commitment and schedule, USEPA conditionally approves the exemption from controls for storage piles, conveyor loading operations, and access areas surrounding storage piles in Rule 203(f).

USEPA believes that the commitment to submit any necessary regulations to the IPCB is an adequate commitment by the State. USEPA recognizes that the State cannot legally prejudge the outcome of statutorily mandated regulatory proceedings. Nonetheless, in order to guarantee that the deficiencies are adequately addressed and that the plan is adequate to satisfy the requirements of the Act, USEPA imposes the additional condition that the regulations be finally promulgated by the State and submitted to USEPA by December 31, 1981.

In establishing the date by which any necessary regulations must be promulgated, USEPA has taken into consideration the complex IPCB rulemaking procedures which require technical as well as economic hearings and findings on all rulemaking actions. A notice soliciting public comment on the acceptability of this schedule will appear in a separate Notice of Proposed Rulemaking to be published shortly.

4. USEPA indicated in the Notice of Proposed Rulemaking that the SIP must include an acceptable method for determining potential emissions from storage piles.

State Response: The State discussed the use of emission factors in determining potential emissions. The State indicated that Illinois Air Pollution Regulation 108 permits the use of standard emission factors as a method of calculating emission rates. The State adds that these emission factors have been used since 1972 to determine the applicability of regulations and the compliance status of sources. The State has committed itself to utilize emission factors and to promulgate administrative rules interpreting Rule 108 as it applies to fugitive particulate emissions. The State made a commitment to promulgate these rules by July 1, 1980.

Public Comments: One commentor urged that emission factors be used to determine compliance with emission limitations for storage piles and noted that the method for determining compliance should not be incorporated in the rule since the methods for determining compliance are being continually updated. Another commentor claims that the determination of an acceptable method of determining potential emissions from storage piles is "one of those myriad details which must be left to the reasoned judgment of the State and emission source owners and operators". This commentor believes that such a determination is beyond USEPA's jurisdiction under section 110(a)(2) of the Act.

USEPA Response: USEPA believes that the State's clarification that emission factors will be used to determine potential emissions from storage piles and the State's commitment to promulgate administrative rules interpreting Rule 108 as it applies to fugitive particulate emissions satisfactorily address USEPA's concern. USEPA recognizes that emission factors are the only practical method for determining potential emissions from storage piles. Therefore, USEPA approves the use of this method on the condition that the State promulgate and submit to USEPA administrative rules interpreting Rule 108 as it applies to fugitive particulate emissions by July 1, 1980. A notice soliciting public comment on the acceptibilty of this schedule appears elsewhere in today's **Federal Register.**

In response to the commentor claiming that the determination of an acceptable method for measuring potential emissions is beyond USEPA's jurisdiction, USEPA agrees that it is the State's right to choose a method. Because the State had not identified such a method in the SIP submittal, USEPA's concern was with the enforceability of the rule. This is a legitimate USEPA concern pursuant to section 110(a)(2) of the Act. USEPA addresses the issue of enforceability elsewhere in this notice.

5. According to USEPA, the technology specified in Rule 203(f)(3) did not include enclosures and particulate collection equipment as control options. USEPA asked that the State submit additional information demonstrating that these control measures were considered in determining RACT for all sources. In addition, USEPA asked that data be submitted quantifying the

emission reductions to be obtained through these provisions.

State Response: The State responded to this issue stating that enclosure and particulate collection equipment were considered in determining RACT for all sources and indicating the part of the SIP submittal addressing these control options. According to the State, enclosure and particulate collection equipment can be used as "equivalent methods" under Rule 203.

Public Comments: Two industries submitted comments indicating that the Illinois Pollution Control Board considered enclosure and particulate collection equipment as controls and determined that these methods were more stringent than RACT. One commentor stated that the rule does not preclude the use of these controls as "equivalent methods." The other commentor stated that USEPA is neither legally competent to dictate its own notions of RACT nor is it entitled to demand that the States provide evidence that particular control technologies were considered in formulating the SIPs.

USEPA Response: USEPA believes that the State has satisfactorily responded to USEPA's concern by demonstrating that these control methods were considered in determining RACT and that they are available to sources as "equivalent methods". USEPA strongly disagrees with the commentor objecting to USEPA's involvement with RACT determinations. Under the Clean Air Act, the primary responsibility for determining RACT falls to the local and State agencies as part of the development of the SIP. Section 172(b)(2) of the Act, however, requires that plans for nonattainment areas provide for the implementation of all reasonably available control measures as expeditiously as practicable. In reviewing a SIP revision to determine its adequacy, USEPA may review the provisions in the State plan to determine if they represent RACT.

6. Rule 203(f) does not contain a method for determining compliance of most processing operations with the operating programs required by the regulation.

State Response: The State did not respond to this issue.

Public Comments: Two steel sources commented on this issue. One commentor cites several portions of Rule 203(f) which it believes provide methods for determining compliance. The commentor cites Rule 203(f)(1) which contains a method for an observer to visually determine if fugitive emissions are crossing property lines; Rule 203(f)(3) which requires treatment programs for specified sources; and Rule 203(f)(4) which establishes specific emission limitations on collection equipment operated pursuant to Rule 203(f)(3). This commentor notes further that testimony before the Illinois Pollution Control Board demonstrated that there is no general correlation between mass emission rate and opacity so that the use of opacity as a measuring device is totally inaccurate. The other commentor states that the IPCB considered and rejected opacity limitations after determining that they were technically infeasible. In order to insure enforcement of the regulations, the commentor states the Board promulgated the operating program requirement. The commentor adds that USEPA's conclusion that fugitive particulate regulations lacking opacity limitations are not enforceable simply defies logic and is illegal.

USEPA Response: USEPA agrees with the commentors that the specific treatment requirements of Rule 203(f)(3) are enforceable. As discussed above, however, any source utilizing an equivalent method must submit that method to USEPA as a SIP revision in order to comply with the federally approved SIP. Therefore, USEPA has reconsidered this issue and believes that the Illinois SIP does contain a method for determining compliance for process operations.

USEPA is responding, however, to other comments made by the two steel sources. USEPA does not believe that Rule 203(f)(1) is an effective method of determining compliance with the specific provisions of operating programs because it is not possible to relate specific control measures for one or more sources at a plant with visual observations of dust crossing a property line. USEPA disagrees with the comment suggesting that USEPA "concluded" that fugitive particulate regulations lacking opacity limitations are not enforceable. USEPA reached no such conclusion. In the Notice of Proposed Rulemaking, USEPA stated that the rule must contain either acceptable visible emission requirements *or* an acceptable substitute for measuring compliance.

7. Rule 203 must contain provisions to control particulate matter generated inside enclosed structures and emitted to the ambient air.

State Response: The State did not respond to this issue.

Public Comments: One industry indicated that specific regulations on processes taking place inside buildings are unnecessary and redundant because Rule 203(f)(1) is adequate to control all fugitive emissions crossing property lines. Another commentor argues that this issue is clearly outside the jurisidiction of USEPA pursuant to section 110(a)(2) of the Act.

USEPA Response: Although the State did not respond specifically to this issue, USEPA believes that the State's use of emission factors pursuant to Rule 108 provides a satisfactory method for determining emissions from enclosed structures. The use of emission factors is discussed above under item 4. In addition, USEPA believes that the opacity limitations in federally approved Illinois Rule 202 can be used to restrict emissions from these sources. Finally, iron and steel sources constitute the most significant sources of emissions from buildings. As discussed above, USEPA will address the proposed rule covering these sources in a future Notice of Proposed Rulemaking.

In response to the public commentors, USEPA notes that USEPA does not consider Rule 203(f)(1) containing the property line limit provision an effective regulation. USEPA discusses this provision in depth under item 6. USEPA cannot respond fully to the statements by the other commentor since the commentor does not explain why this issue is "clearly outside" USEPA's jurisdiction. USEPA believes that all emissions into the ambient air are within its statutory purview.

USEPA Final Determination: Based on the corrections and clarifications made by the State and on the commitments to make additional corrections, USEPA conditionally approves Rule 203(f) as part of the federally approved SIP. USEPA takes no action on two changes made in the rule between USEPA's Notice of Proposed Rulemaking and this final rulemaking action. As discussed above, USEPA believes that approval or disapproval of these changes will not alter the outcome of this rulemaking. Public comment on the changes will be solicited in a separate Notice of Proposed Rulemaking to be issued shortly.

Maintenance-Malfunction

In its July 2, 1979 notice, USEPA proposed to approve revisions to Rules 101, 103, and 105 relating to malfunctions. The State, however, has not yet finalized these rules. Therefore, USEPA cannot take action to approve or disapprove these regulations at this time. Final Rulemaking will occur upon certification by the State that the rules are adopted and effective in Illinois. Although USEPA expects the State to finalize and submit those regulations as part of its particulate control strategy, failure to do so does not prevent approval of the Part D particulate SIP.

Sulfur Dioxide

In the July 2, 1979 notice, USEPA proposed to approve the Illinois Part D sulfur dioxide SIP upon the condition that the State of Illinois corrected deficiencies in the air quality modeling analysis for an area near Pekin, Illinois. In a letter dated January 18, 1980, the Illinois EPA made a commitment to remodel the Pekin area and, if necessary, propose additional regulations to the Illinois Pollution Control Board (IPCB) by September 1980 to ensure attainment and maintenance of the NAAQS. Therefore, USEPA conditionally approves the Illinois Part D sulfur dioxide SIP. USEPA believes that the State's commitment to submit any necessary regulations to the IPCB is adequate. USEPA recognizes that the State cannot legally prejudge the outcome of statutorily mandated regulatory proceedings. Nonetheless, in order to guarantee that the deficiencies are adequately addressed and that the plan is adequate to satisfy the requirements of the Act, USEPA imposes the additional condition that any necessary regulations be finally promulgated by the State and submitted to USEPA by September 30, 1981.

In establishing the date by which necessary regulations must be promulgated, USEPA has taken into consideration the complex IPCB rulemaking procedures which require technical as well as economic hearings and findings on all rulemaking actions. A notice soliciting public comment on the acceptability of this schedule will appear in a separate Notice of Proposed Rulemaking to be published shortly.

Ozone

An adequate State Implementation Plan for ozone requires sufficient controls on the emission of volatile organic compounds (VOC) from stationary and mobile sources to provide for the attainment of the standards by December 31, 1982. In cases where attainment by 1982 cannot be demonstrated despite the application of all reasonably available control measures, extensions of the attainment date may be granted through December 31, 1987. Pursuant to section 172(b)(11) of the Act, a SIP which provides for attainment of the ozone standard after December 31, 1982 must contain a specific schedule for the implementation of a vehicle emission control inspection and maintenance program (I/M) and establish a program which requires an analysis of alternatives prior to the issuance of any permit for construction or modification of a major emitting facility. As discussed below, USEPA has determined that the Illinois' controls on stationary sources of VOC and specified transportation control plans are conditionally approvable. USEPA has also determined that the vehicle inspection and maintenance program and specified transportation control plans are approvable. Illinois has satisfied the requirement for a program requiring analysis of alternatives in a provision of its new source review rules.

Hydrocarbons From Stationary Sources

Section 172(b)(2) of the Clean Air Act requires the application of reasonably available control technology to stationary sources of VOC in nonattainment areas. USEPA has developed Control Techniques Guidelines (CTGs) which provide information on available air pollution control techniques, and contain recommendations of what USEPA calls the "presumptive norm" for RACT.

Where state regulations are not supported by the information in the CTGs, the state must provide an adequate demonstration that its regulations represent RACT, or amend the regulations to be consistent with the information in the CTGs. An explanation of CTGs and their practical effect is contained in a September 17, 1979 supplement (44 FR 53761) to the General Preamble.

As noted in the General Preamble for Proposed Rulemaking on Approval of Plan Revisions for Nonattainment Areas, (44 FR 20376) April 4, 1979, the minimum acceptable level of stationary source control for ozone SIPs includes RACT requirements for VOC sources covered by CTGs the USEPA issued by January 1978 and schedules to adopt and submit by each future January additional RACT requirements for sources covered by CTGs issued by the previous January. The Illinois submittal includes a commitment from the State to adopt and additional rules representing RACT on stationary sources of VOC for which USEPA issues CTGs. The Administrator approves this commitment by the State as part of the federally approved Illinois State Implementation Plan.

The submittal date for the first set of additional RACT regulations was revised from January 1, 1980 to July 1, 1980 by **Federal Register** notice of August 28, 1979 (44 FR 50371). Today's conditional approval of the ozone portion of the Illinois' plan uis contingent on the submittal of the additional RACT regulations which are due by July 1, 1980 for CTGs published between January 1978 and January 1979.

In addition, by each subsequent January beginning January 1, 1981, RACT requirements must be adopted and submitted to USEPA. The above requirements are set forth in the "Approval Status" section of the final rule. If RACT requirements are not adopted and submitted to USEPA according to the time frame set forth in the rule, USEPA will promptly take appropriate remedial action.

The Illinois SIP includes a provision which exempts methylene chloride from controls. This volatile organic compound, while not appreciably affecting ambient ozone levels, is potentially harmful. Methylene chloride has been identified as mutagenic in bacterial and mammalian cell test systems, a circumstance which raises the possibility of human mutagenicity and/or carcinogenicity. USEPA is concerned that the State has chosen this course of action without full consideration of the total environmental and health implications. USEPA will not disapprove the State's SIP submittal if the State chooses to maintain this exemption. USEPA is, however, concerned that this policy not be interpreted as encouraging the increased use of this compound or compliance by substitution. USEPA does not endorse such approaches. Furthermore, State officials and sources should be advised that there is a strong possibility of future regulatory action to control these compounds. Sources which choose to comply by substitution may well be required to install control systems as a consequence of these future regulatory actions.

Statewide stationary source control representing RACT for fifteen source categories are contained in Rule 205 of the Illinois Air Pollution Regulations. In the July 2, 1979 notice of proposed rulemaking, USEPA noted five areas of the rule which in USEPA's judgment were deficient. If the State made a commitment to correct the deficiencies on a schedule to be negotiated between the State and the USEPA Regional Office, USEPA proposed conditional approval of the rule. The following discussion identifies the deficiencies, summarizes the State's response and any public comments, and contains USEPA's response and final determination.

1. Rule 205(k) exempts from controls solvent cleaners which emit less than 15 lbs. per day or 3 lbs. per hour of volatile organic compounds. This broad exemption is neither technically supported in the CTGs nor technically supported by the State as representing RACT.

State Response: The State of Illinois has made a commitment to complete a study which demonstrates that this

exemption represents RACT for existing sources in the solvent metal cleaning category, to submit the results of this study to USEPA, and, if necessary, to prepare draft regulations which represent RACT for submittal to the Illinois Pollution Control Board. The State has made a commitment to fulfill these conditions within nine months of the effective date of this rulemaking.

USEPA Response and Final Determination: Based on this commitment and schedule, USEPA conditionally approves the exemption from controls for solvent cleaners which emit less than 15 lbs. per day or 3 lbs. per hour of volatile organic compounds in Rule 205(k).

USEPA believes that the State's commitment and schedule to submit any necessary regulations to the IPCB is adequate. USEPA recognizes that the State cannot legally prejudge the outcome of statutorily mandated regulatory proceedings. Nonetheless, in order to guarantee that the deficiencies are adquately addressed and that the plan is adequate to satisfy the requirements of the Act, USEPA imposes the additional condition that any necessary regulations be finally promulgated by the State and submitted to USEPA by November 30, 1981.

In establishing the date by which any necessary regulations must be promulgated, USEPA has taken into consideration the complex IPCB rulemaking procedures which require technical as well as economic hearings and findings on all rulemaking actions. A notice soliciting public comment on the acceptability of this schedule will appear in a separate Notice of Proposed Rulemaking to be published shortly.

2. Rule 205(n) contains an alternative compliance option for owners and operators of surface coating lines. The alternative compliance option exempts sources from the requirements for high solid coating materials if VOC emissions are controlled by an afterburner system providing capture and destruction of the nonmethane volatile organic materials. The State's proposal differs from the 90% capture of emissions or 81% overall control efficiency which represents the presumptive norm for add-on control equipment as technically supported in the CTGs. The State did not submit technical support for its choice of a lower level of control as representing RACT.

State Response: The State of Illinois has made a commitment to complete a study which demonstrates that level of control in its regulation represents RACT for existing sources of VOC, to submit the results of the study to USEPA, and if necessary, to submit regulations representing RACT to the Illinois Pollution Control Board. The State has made a commitment to fulfill these conditions within nine months of the effective date of this final rulemaking.

Public Comments: A commentor, a national trade association of can manufacturers, questioned the availability of 90% capture systems with respect to can manufacturing sources.

USEPA Response and Final Determination: While the CTG recommends that 90% capture systems are RACT as a general matter, the CTG does not address unique circumstances which can be taken into account in determining RACT on a case by case basis. Therefore, the State is free to determine RACT on an individual source basis.

Based on the States commitment to conduct a study, to submit the results of the study to USEPA, and, if necessary, to propose regulations representing RACT to the Illinois Pollution Control Board (IPCB USEPA conditionally approves this provision. The State has committed to fulfill these conditions within nine months of the effective date of USEPA's final rulemaking.

USEPA believes that the State's commitment to submit any necessary regulations to the IPCB is adequate. USEPA recognizes that the State cannot legally prejudge the outcome of statutorily mandated regulatory proceedings. Nonetheless, in order to guarantee that the deficiences are adequately addressed and that the plan is adequate to satisfy the requirements of the Act, USEPA imposes the additional condition that any necessary regulations be finally promulgated by the State and submitted to USEPA by November 30, 1981.

In establishing the date by which any necessary regulations must be promulgated, USEPA has taken into consideration the complex IPCB rulemaking procedures which require technical as well as economic hearings and findings on all rulemaking actions. A notice soliciting public comment on the acceptability of this schedule will appear in a separate Notice of Proposed Rulemaking to be published shortly.

3. Rule 205(n)(4)(A) permits the use of daily weighted averages for all lines at all categories of coating plants. USEPA indicated in the notice of proposed rulemaking that the provision was generally acceptable but requested the State to provide the following information: (1) A rationale for its allowance of internal offsets in all categories of coating plants; (2) The methodology by which the internal offset provision will be enforced; (3) A clarification of the methodology in Rule 205(i) for determining control efficiency; and (4) A clarification that the rule does not allow non-RACT sources to provide offsets.

State Response: (1) The State noted that both USEPA and numerous witnesses at State hearings encouraged the State to utilize the "bubble concept". Further, the State believes that failure to extend the internal offset approach to all categories would be arbitrary and capricious when USEPA has specifically approved the use of daily weighted averaging for two categories, automobile and can coating with similar needs and problems. (2) The State commented extensively on the mechanism for enforcing Rule 205(n)(4)(A). According to the State, Rule 205(n)(4)(C) provides that the bubble can be used only if the operator of a source maintains adequate records. If such records are not maintained, then Rule 205(n)(1) applies and the source must meet the emission limitations for all coatings. Failure to meet the emission limitations for all coatings would be a violation of Rule 205(n)(1). (3) In response to USEPA's inquiry about the specific test methodology for determining control efficiency, the State cited the requirement in Rule 205(i). This provision requires that a flame ionization detector or other approved method be used. (4) The State submitted an August 23, 1979 opinion of the Illinois Pollution Control Board clarifying that emission limits for non-RACT sources may not be used to compute compliance with the internal offset provision.

USEPA Response and Final Determination: USEPA approves the portions of Rule 205 which permit the use of daily weighted averaging at all coating plants because the State has satisfactorily addressed USEPA's concerns.

The following provides further clarification on the methodology by which the internal offset provision (Rule 205(n) alternative compliance) is to be implemented. This "bubble" rule is approvable only if the State follows the provisions set forth in EPA bubble policy, that is, each alternative compliance scheme involving control equipment (bubble) must be submitted to EPA as a SIP revision. Therefore, in those bubble situations where the emissions to be used in a bubble calcualtion are dependent on the capture and control efficiency of a control system, the emissions must be determined through appropriate testing procedures and the resulting overall control efficiency for each specific piece of add-on control equipment employed

must be established. Establishing this limit as part of the SIP will simplify procedures required to determine compliance. Additionally, critical parameters of the control system must be monitored during testing for establishment of the emission rate and continuous monitoring of these parameters must be employed to allow for the assessment of continued performance at the established rate.

EPA would so like to address the adequacy of the method for determining control efficency given in rule 205(i). While the flame ionization detector prescribed by rule 205(i) is a suitable technique, the State should be aware that EPA has recently recommended/proposed other techniques which would be superior: In October, 1978 OAQPS published *OAQPS No. 1.2—115, Measurement of Volatile Organic Compounds* which describes an oxidation-reduction method. This method is also part of the proposed NSPS (October 5, 1979) for automobile and light-duty truck surface coating operations.

4. Rule 205(q) allows seasonal exemptions from the use of afterburners and cutback asphalt. In its initial submittal, the State did not provide technical support demonstrating that the standards would be protected with these exemptions.

State Response: The State submitted technical justification for the exemptions using air monitoring data to derive design values for use in the EKMA computer dispersion model. Existing city-specific isopleths from Chicago and St. Louis demonstrate that control requirements will be within reasonable further progress limits for reductions by 1982. Therefore, the State contends it does not need to regulate afterburner and cutback asphalt operations during the months of October through April to show attainment as expeditiously as practicable.

Public Comment: One commentor, a trade association for can manufacturers, submitted a July 26, 1979 memorandum from Robert B. Faoro, USEPA Data Analysis Section, on the subject of ozone air quality standard violations and seasonal afterburner shutdown. The commentor states that this memorandum clearly supports seasonal afterburner shutdown provisions for a period from November 1st through March 31st.

USEPA Response and Final Determination: Based on the State's technical demonstration and on the policy memorandum from Robert B. Faoro, USEPA approves the seasonal exemptions from the use of afterburners and cutback asphalt contained in Rule 205(q).

5. Rule 205(b)(1) of the 1972 federally approved Illinois State Implementation Plan required vapor collection systems on the loading racks of bulk gasoline terminals with a throughput of more than 40,000 gallons per day. Rule 205(j) of the 1972 federally approved Illinois SIP required compliance with this provision by December 31, 1973. (In the July 2, 1979 **Federal Register** notice, USEPA erroneously cited April, 1975 as the final compliance date for this provision.) The current Illinois SIP submittal contains a new Rule 205. New Rule 205(j) requires vapor collection systems on the loading racks of bulk gasoline terminals without regard to throughput. The new rule specifies that final compliance for all affected facilities must be achieved by July 1, 1981. USEPA will not approve the extension of final compliance dates when the substantive requirements of a new rule are the same or less stringent than the requirements of an existing federally approved rule. Therefore, USEPA published a list of sources which it believed were required to be in compliance with old Rule 205(b)(1) by December 31, 1973 and would not be allowed additional compliance time.

State Response: Citing "Train v. NRDC" (95 S.Ct. 1470, 421 U.S. 59 (1975)), Illinois contends that USEPA does not have the legal authority to disapprove the compliance schedule in Rule 205(j) which extends the compliance dates included in the original SIP. The State claims that although a December 1973 amendment to Rule 205(b)(1) was never submitted to USEPA, USEPA should have been aware of the change in this rule. Consequently, the State believes that it is unfair and inequitable for USEPA to notify the State now that the amended rule is deficient. Finally, the State suggests that if USEPA disapproves the rule, it will leave those bulk gasoline terminals against which enforcement action is being taken with no final compliance date.

USEPA Response: The federally effective bulk gasoline terminal loading rack rule in Illinois is Rule 205(b) which was approved by USEPA in 1972. The date for final compliance under the provisions of the approved regulation was December 31, 1973. On December 20, 1973, the Illinois Pollution Control Board revised Rule 205(b). The Illinois EPA did not submit the revised rule to USEPA for inclusion in the federally approved Illinois SIP. Pursuant to section 110 of the Clean Air Act, the State must submit plans or revisions to USEPA. Until the State submits a revision to USEPA, the legally enforceable SIP is the federally approves SIP. Therefore, the prior approved rule is the effective rule. The State of Illinois, in its revision, merely requires what the original rule required, namely vapor recovery and disposal systems. In addition, the new rule extends the date for final compliance to July 1, 1981.

All terminals which qualify for regulation under the terms of federally approved Rule 205(b)(1) are subject to the requirements until a revision of the rule is approved by USEPA. Extension of the date for final compliance to July 1, 1981 is not authorized under the Clean Air Act. The Clean Air Act specifies that sources whose final compliance date is passed, which are not in compliance by July 1, 1979 are subject to provisions of section 120 (non-compliance penalties). To allow sources to extend the date for final compliance to July 1, 1981 would negate the impact of section 120 and the intent of Congress.

Consequently, USEPA does not agree with the State's comment that disapproval of the compliance schedule in Rule 205(j) will leave those bulk gasoline terminals against which enforcement action is being taken with no final compliance date. For federal enforcement, sources previously covered by Rule 205(b), as federally approved in 1972, were to be in compliance by December 31, 1973. Sources which were not previously covered by Rule 205(b) but are newly covered under Rule 205(j) must be in compliance by July 1, 1981.

Public Comments and USEPA Response

1. Two commentors opposed USEPA's proposed disapproval of the compliance schedule in Rule 205(j) as it applies to loading rack controls on bulk gasoline terminals previously controlled in the 1972 federally approved SIP. One commentor summarized the history of Rule 205 and noted that on December 20, 1973 the State modified Rule 205(b)(1) authorizing compliance with the rule by means of submerged loading pipes or other equally effective devices. The commentor contends that although USEPA was aware of these actions, it did not advise the State of its disagreement with the rule until six years later. For this reason and since new Rule 205(o)(2) will require vapor control equipment rather than submerged fill, the commentor opposes USEPA's proposed disapproval.

Pursuant to section 110 of the Clean Air Act, the State must submit plans or revisions to USEPA. Until the State submits a revision to USEPA, the legally

enforceable SIP is the federally approved SIP.

The other commentor notes that a lawsuit pending in the United States District Court for the Northern District of Illinois raises the issue of whether the Illinois proposal "extends the final compliance date of Rule 205" and suggests that USEPA disapproval of this portion of the Illinois SIP is inappropriate during the pendancy of the litigation.

Pursuant to section 110 of the Clean Air Act, USEPA is mandated to either approve or disapprove state submitted SIPs and revisions to SIPs within specified timeframes. This mandate is without regard to lawsuits or to other contingencies. Consequently, USEPA cannot withhold rulemaking until the court makes a decision in this case. Using the pendancy of litigation as a basis for not acting on revisions to a SIP would potentially promote frivolous litigation to delay SIP action and jeopardize the attainment and maintenance of standards. Once the court has rendered a decision in any such case, appropriate steps can be taken regarding the SIP.

2. Numerous corporations submitted comments identifying errors in the list USEPA published of bulk gasoline terminals. Recognizing that errors were made in the list and the likelihood that any list of specific sources will be inaccurate, USEPA retracts the list published in the July 2, 1979 **Federal Register**. USEPA substitutes the general language below in its final determination to identify sources which will not be permitted additional compliance time.

USEPA Final Determination

On the basis of the above discussion, USEPA disapproves the compliance schedule in Rule 205(j) as it applies to loading rack controls for all emission sources subject to Rule 205(b)(1), as approved by USEPA on May 31, 1972, which were required to be in compliance by December 31, 1973.

General Public Comments:

Several commentors raised both general and regulation specific questions about the ozone portion of the Illinois submittal. One commentor, a national trade association of can manufacturers, enclosed comments filed with the Illinois Pollution Control Board and the Illinois EPA during the State's rulemaking and asked that these comments be considered in USEPA's final rulemaking. In these comments, the trade association asked that because of technological infeasibility an interim emission limitation be provided for end seam compounds and that the final compliance date for this category be extended. USEPA believes that the commentor raised this issue to the appropriate forum when it submitted its comments to the State of Illinois. The states are free to choose the mix of controls, including emission limitations necessary to attain and maintain the standards. "Train v. NRDC," 421 U.S. 60, 95 S.Ct. 1470 (1975). In doing so, States may consider technological and economic feasibility. Once the State chooses its mix of controls, however, USEPA cannot disapprove that mix for reasons of economic and technological feasibility. "Union Electric v. EPA," 96 S.Ct. 2518 (1976). Therefore, USEPA has no basis for disapproving the emission limitations and compliance schedule in the Illinois SIP for end seal compounds.

The State of New Jersey asked that the Illinois SIP submittal be disapproved because it does not contain appropriate strategies to attain the ozone standard in Illinois or to reduce its contribution to nonattainment elsewhere. The commentor notes that the proposed Illinois SIP does not require statewide RACT for existing sources, and lowest achievable emission rate (LAER) and offsets for new sources. USEPA believes that the Illinois SIP submittal does contain appropriate strategies to demonstrate attainment. In addition, the Illinois SIP requires RACT statewide on existing VOC sources as well as LAER and emission offsets for new sources. Therefore, USEPA cannot disapprove the ozone portion of the Illinois SIP on this basis.

In addition, New Jersey argues as it did in objecting to the Administrator's ozone nonattainment area designations, that entire States should be designated nonattainment, thereby requiring Part D SIP revisions statewide. The Administrator considered all of New Jersey's objections to the designations and responded in the document entitled "Technical Support Document for Agency Policy Concerning Designation of Attainment, Unclassifiable, and Nonattainment Areas for Ozone," January 1979. Availability of this document was announced in the February 1, 1979 **Federal Register** (44 FR 6395). This document and the Administrator's response to New Jersey's comments are incorporated herein by reference.

The Bi-State Metropolitan Planning Commission asked that Illinois reconsider its requirement for RACT statewide because of possible impacts on growth in the Quad Cities Area which encompasses Illinois and Iowa. Iowa does not requires RACT statewide. Section 172 of the Act requires RACT only on existing sources in nonattainment areas. Section 116 of the Act, however, authorizes the state to adopt or enforce more stringent measures than the federal requirements. Therefore, the State's decision to apply RACT statewide is not a basis for USEPA disapproval. Further, USEPA believes that any economic disruption caused by this requirement will be minimal because RACT applies only to existing sources. All new major sources or major source modifications in both Iowa and Illinois will be subject to LAER, BACT or new source performance standards.

Final Determination: USEPA conditionally approves, with one exception, the ozone portion of the Illinois submittal subject to State correction of the deficiencies identified above in Rule 205 and the correction of the deficiencies identified below in the discussion of transportation control plans. These deficiencies must be corrected according to the schedules committed to by the State in the SIP. Public comment on these schedules will be solicited in a notice of proposed rulemaking to be published shortly. USEPA takes no action on a change made in rule 205(k) between USEPA's Notice of Proposed Rulemaking and this final rulemaking action. As discussed above, USEPA believes that approval or disapproval of the changed provision will not alter the outcome of this rulemaking. Public comment on the change in Rule 205(k) will be solicited in a separate Notice of Proposed Rulemaking.

Transportation Control Plans

USEPA proposed rulemaking on seven transportation control plans (TCPs) for Illinois in the July 2, 1979 **Federal Register** (44 FR 38587). Several comments were received which were directed to specific transportation control plans. These comments will be discussed below under the discussion on each area specific plan. One commentor, the Illinois Attorney General's Office, submitted general comments on the transportation control plans submitted by the State as part of the SIP revision. The commentor questioned the expeditiousness of the adoption of Transportation Control Measures (TCMs) for major urban areas in Illinois, the adequacy of the proposed schedules for evaluating TCMs, the failure to consider TCMs which reduce emissions less than ten tons per year, and the lack of identification and involvement of significant public interest groups regarding the development of TCMs. USEPA's response follows seriatim:

Transportation control measures as outlined in section 108 of the Act are considered reasonably available control measures under section 172(b)(2). Pursuant to section 172(a)(2), areas requiring an extension must demonstrate that attainment is not possible in the area by 1982 despite the implementation of all reasonably available measures.

As discussed in the April 4, 1978 General Preamble (44 FR 20372), all necessary measures must ordinarily be adopted in legally enforceable form. For certain classes of measures, however, USEPA interprets the Act to allow approval of State Implementation Plans containing schedules for expeditious development, adoption, submittal, and implementation of the measures. Schedules may be used for transportation control measures. According to the June 1978 USEPA-United States Department of Transportation (USDOT) "Transportation Air Quality Planning Guidelines", the states have until July 1980 to complete an analysis of the measures contained in section 108 of the Act. Upon completion of the analyses, lead local agencies are responsible for making recommendations to local elected officials for implementation of selected measures. Pursuant to section 172(c) of the Clean Air Act, whenever a SIP requires an attainment date extension beyond December 31, 1982 enforceable measures to assure attainment of the standard must be included in the SIP prior to July 1, 1982. Consequently, USEPA believes that the St. Louis Metropolitan Area and Northeast Illinois (Chicago) Area transportation control plans provide for the adoption of TCMs as expeditiously as required by the Act. Although the transportation control plans for Peoria, the Quad Cities, and Springfield contain commitments to review a select number of TCMs, attainment is demonstrated by December 31, 1982 without the measures. Since the areas using TCMs to create a margin for growth are not required by section 172 of the Act to review or adopt any measures, section 172(c) does not mandate a schedule for adoption.

In response to the commentor's statement that the Illinois SIP does not provide an evaluation of applicable TCMs or a detailed schedule for completion of the evaluation, USEPA references the statutory requirements and policy decisions outlined above. According to the USEPA-USDOT "Transportation-Air Quality Planning Guidelines", TCMs must be evaluated by July, 1980. The Illinois SIP submittal lists the TCMs which will be reviewed by the respective lead local agencies. Additionally, each lead local agency has included in the submittal or has made a commitment to include in the SIP a schedule with interim dates for completing the evaluation. Because TCM implementation is a critical element in the annual demonstrations of meeting the reasonable further progress line, USEPA expects the implementation of TCMs or a commitment to the implementation of TCMs by December 31, 1982.

In response to the commentor's criticism that little has been done to identify or contact significant public interest groups regarding TCM development, USEPA believes that the Illinois SIP submittal demonstrates that these groups and the public have been involved and will continue to be involved in the development, adoption, and implementation of transportation control plans.

Finally, the commentor claims that under the Illinois SIP, TCMs which reduce emissions less than 10 tons per year or less than 0.2 percent of total mobile source emissions are considered unreasonable from an air quality standpoint and are not considered. This is incorrect. In their evaluations of section 108 measures, Chicago planning and transportation agencies will examine the feasibility of implementing TCMs which reduce emissions less than 10 tons per year. These measures include bus, carpool, and bicycle lanes and storage facilities. Regardless, as determined in "Train v. NRDC" (421 U.S. 60, 95 S.Ct. 1470 (1975)), a state may determine the mix of strategies it will employ so long as the end result is attainment.

No other comments were received on three of the transportation control plans and no deficiencies were identified for these plans in the notice of proposed rulemaking. Consequently, USEPA approves, as part of the federally approved SIP, the transportation control plans for the Decatur, Champaign-Urbana, Bloomington-Normal areas, the Rockford area, and the Rock Island-Quad Cities area. As discussed below, USEPA also approves the transportation control plan for the Springfield Metropolitan Area since the State has corrected the one deficiency identified by USEPA. USEPA conditionally approves the transportation control plans for Peoria, Northeastern Illinois and the Illinois portion of the St. Louis Metropolitan Area.

Springfield Metropolitan Area

In its July 2, 1979 Notice of Proposed Rulemaking, USEPA noted that the Springfield area plan should include procedures for its annual determination of consistency and conformance with the State Implementation Plan. The State has submitted additional information indicating that these determinations will be made using the USEPA/Federal Highway Administration/Urban Mass Transportation Administration Region V Standard Operating Procedures of November 1978. USEPA believes that the State has satisfactorily addressed the cited deficiency.

Therefore, USEPA approves the transportation control plan for the Springfield area.

Peoria Metropolitan Area

Although the State has demonstrated that the Peoria Metropolitan Area will attain the ozone standard by December 31, 1982, the lead local agency has developed a transportation control plan in order to obtain additional emission reduction credits and to accommodate new growth. USEPA identified six areas of the Peoria transportation control plan which in USEPA's judgment did not satisfy the requirements of the Act in the July 2, 1979 **Federal Register.** The State has made a commitment to resolve the six deficiencies as described below within six months of the effective date of this final rulemaking.

A notice soliciting public comment on the acceptability of this schedule appears elsewhere in today's **Federal Register.** USEPA approves the transportation plan for the Peoria Metropolitan area on the condition that the State satisfy the requirements outlined below within the specified time frame.

1. USEPA requested a more detailed description of the transportation planning process. The State will provide additional documentation to show how a sample project would proceed from the project selection phase to actual implementation stage including an indication of the timing involved in each step as well as an identification of the involved decision-maker.

2. The Tri-County Regional Planning Commission (Tri-County) was asked to provide a description of procedures which will be used to annually determine the consistency and conformity of the transportation control plan with the SIP. These procedures will be jointly developed by Tri-County, USEPA, and IEPA.

3. USEPA requested details indicating how the emissions impact of implemented transportation projects will be annually assessed and reported. A system for assessing these impacts will be developed.

4. USEPA requested an assessment of the social, economic, health, energy, air quality and welfare impacts of transportation control measures. These impacts will be addressed by Tri-County in its study of each transportation control measure scheduled for detailed evaluation.

5. USEPA requested an identification of all potential CO hotspots in the Peoria Metropolitan Area. Tri-County and IEPA have committed themselves to develop an inventory of all potential CO hotspots. In addition, Tri-County and IEPA have committed to submit a strategy for the elimination of the identified CO hotspots.

6. USEPA requested that the State identify a mechanism for informing elected officials and implementors of progress towards meeting emission reduction goals and projects needed to meet these goals. Tri-County will prepare these and submit systems which will satisfy USEPA's requests.

Northeast Illinois (Chicago) Area

The six county northeast Illinois area is designated as nonattainment for ozone. Portions of this area are also designated as nonattainment for carbon monoxide. The Illinois submittal contains a request for an extension of the statutory deadline to attain the ozone and carbon monoxide standards until December 31, 1987. USEPA believes that the State has demonstrated that attainment is not possible in the northeast Illinois area by December 31, 1982 despite the implementation of all reasonably available measures. Therefore, USEPA approves an extension until December 31, 1987 of the statutory attainment deadline for ozone and carbon monoxide.

USEPA identified thirteen deficiencies in the Northeastern Illinois transportation control plan in the July 2, 1979 proposed rulemaking. As described below, the State has resolved a number of these deficiences to USEPA's satisfaction, and has made a commitment to resolve the remaining deficiences within six months of the effective date of this final rulemaking.

A Notice soliciting public comment on the acceptability of this schedule appears elsewhere in today's **Federal Register**. USEPA approves the transportation control plan for Northeastern Illinois on the condition that the State satisfies the requirements outlined below. For all requirements except the requirements of implementor commitments and the formal adoption of representative transportation measures, the State must satisfy the conditions within six months of the effective date of this regulation.

1. USEPA requested a schedule identifying when transportation study areas will be defined. The State has made a commitment to complete this process within six months of the effective date of this final rulemaking.

2. USEPA requested additional information on the objectives of the Chicago Area Transportation Study (CATS) Air Quality Advisory Committee. The State will submit to USEPA the resolution creating this committee and identifying the objectives of the Committee.

3. USEPA required an identification of representative air quality measures from adopted Transportation Improvement Programs (TIPs) and Transportation System Management (TSM) programs.

In a letter dated January 25, 1980, the State submitted a list of twelve transportation measures which are representative of the section 108 reasonably available transportation control measures.

A listing of the twelve representative measures, the project implementors, and the associated emission reductions is contained in the table below. These measures are included as part of the Chicago Metropolitan Area's TIP/TSM Program. While these representative measures have been submitted to USEPA as part of the SIP, the measures have not been formally adopted by the Chicago Area Transportation Study (CATS) Policy Committee as SIP air quality strategies. The State has made a commitment to seek adoption of these strategies at the March, 1980 meeting of the CATS Policy Committee and has further committed to submit evidence of their adoption to USEPA by April 30, 1980. In addition, USEPA required a demonstration that the analysis of transportation control measures outlined in section 108 of the Act is integrated into the ongoing planning and programming cycle. USEPA now believes that this requirement was substantially satisfied in the original submittal. The Chicago Area Transportation Study will, however, review the transportation plan, make changes to document how air quality planning is conducted in the transportation sector, and delineate the timing of significant decision points.

Project name	Project implementor	Location/description	Funding source	1982 HC reductions (tons)	1982 CO reductions (tons)
1. Projects that reduce UMT:					
A. State Street Mall	City of Chicago.	Chicago CBD—State from Wacker to Congress	UMTA (43.3%), FHWA (32.2%), Local (24.5%).	31.36	(1)
B. Bicycle Racks at Commuter Railroad Stations.	IDOT	Placed at nine stations providing space for 457 bicycles.	IDOT	1.99	22.45
C. Park-and-Ride Lot at Midway Airport	City of Chicago.	Portion of existing Midway Airport facility	City of Chicago	5.01	52.45
2. Projects that improve traffic flow:					
A. Lincoln Square Mall	City of Chicago.	Lincoln from Leland to Ainslie and intersection improvements at affected locations.	Economic Development Administration (90%), Local (10%).	(2)	(2)
B. LaSalle Drive	City of Chicago.	Widen and improve intersections Stockton-Clark	FAU (75%), Local (25%)	5.0	100.0
C. Stoney Island Avenue	City of Chicago.	Flow improvement—widen and improve from 65th to 69th.	FAU (75%), Local (25%)	10.94	(1)
3. Projects that increase vehicle occupancy:					
A Oakbrook Ridesharing Program	RTA	Village of Oakbrook—encourage through 16 firms	RTA (100%)	13.66	160.81
B. Proposed RTA Ridesharing Program	RTA	Encourage ridesharing in six-county metro area	USDOT (33⅓%), UMTA (33⅓%), Local (33⅓%).	147.48	2,123
C. Commuter Railroad Station Carpool Matching Program.	CATS	Encourage carpooling to and from train station—matching board at 69 stations.	UMTA (44.5%), PL (55.5%)	2.54	28.69
4. Projects that improve mass transit:					
A. O'Hare Rapid Rail Extension	City of Chicago.	Extend Kennedy rapid transit line 7.6 miles to O'Hare.	UMTA (80%), IDOT (13.7%), City of Chicago (6.3%).	124.82	(1)
B. Park Forest South (ICG) Commuter Rail Extension.	RTA	2.2 mile extension from Richton Park to Park Forest South and 320 space park and ride lot.	UMTA (76%), IDOT (22.7%), Local (1.3%).	12.77	121.05
C. RTA Feeder Bus Expansion	RTA	Feeder bus to rail stations—improvements made to 40 routes in fiscal year 1979.	Farebox (27%), Local (73%), State (73%), Federal (73%).	12.1	344.4

[1] The change in CO concentrations is reported for these projects rather than the emission reductions. Thus, the emission reductions could not be included in this table.

[2] There was a slight emissions increase in the immediate project vicinity because of increased traffic volumes. This traffic previously used nearby routes and, thus, the project probably resulted in a net emissions decrease. This decrease cannot be estimated.

4. USEPA required documentation that an ongoing process exists for disseminating information to locally elected officials. USEPA believes that this requirement is satisfied by Section D of the transportation control plan. Additionally, the Chicago Area Transportation Study will submit information documenting current activities conducted pursuant to this section of the plan.

5. USEPA required a schedule identifying when public education, information, and elected official consultation will take place. USEPA believes that this requirement is satisfied by Section E of the transportation control plan.

6. USEPA requested that the State identify both the cost of strategies and available funding sources. The State will identify the cost and potential funding sources for the representative air quality measures discussed in item 3 above. Further, the State will list all available funding sources.

7. USEPA requested an explanation of the approach used in evaluating emission reductions from transportation projects. In addition, USEPA required the submittal of a reasonable further progress line for mobile sources in the Northeastern Illinois area and resolution of an inconsistency between the transportation control plan and the general discussion in the submittal. In order to demonstrate the approach used in calculating emission reductions from transportation projects, the State will provide sample calculations. USEPA has determined that an adequate reasonable further progress line for mobile sources in Northeastern Illinois is contained in the SIP submittal so that the State need not submit additional material. An inconsistency in a table on page 47 of the transportation control plan will be corrected to be consistent with Chapter 10 of the SIP.

8. USEPA requested implementor commitments in the July 2, 1979 notice of proposed rulemaking. The January 25, 1980 state letter submitted as a SIP revision partially satisfies this requirement. USEPA has determined that these commitments for additional measures cannot be obtained until completion of the alternatives analysis in July, 1980. The analysis of measures described in section 108 of the Clean Air Act will develop information essential to local decisionmaking on the costs and effects of various actions. Upon completion of the alternatives analysis, local elected officials will be required to make decisions regarding the expeditious implementation of all reasonably available measures.

9. USEPA requested that the State guarantee that public transit receive priority in the transportation planning process pursuant to sections 172(b)(2), 110(a)(3)(d), and 110(c)(5)(d) of the Act. USEPA agrees with the State that this requirement has been met and no additional action need be taken on it.

10. USEPA requested documentation of specific mobile source emission decreases. The State will provide this documentation within six months of the effective date of this final rulemaking.

11. USEPA requested that the State identify procedures for annually determining the consistency and conformity of the transportation control plan with the SIP. The Chicago Area Transportation Study (CATS) has made a commitment to review the plan, make a determination, and submit a resolution from the CATS Policy committee reflecting its determination. The Illinois EPA has made a commitment to review the determination and resolution.

12. USEPA requested accelerated implementation of transportation control measures which will be adopted shortly. USEPA believes that the State's commitment under item 3 above also fulfills this requirement.

13. USEPA requested additional information on reasonable further progress in eliminating carbon monoxide hotspot intersections and links. The State will submit an inventory identifying the location of carbon monoxide hotspots and a schedule for hotspot elimination.

St. Louis Metropolitan Area (Illinois Portion)

The Illinois portion of the St. Louis Metropolitan area has been designated as nonattainment for ozone. The Illinois submittal contains a request for an extension of the statutory deadline to attain the ozone standards until December 31, 1987. USEPA believes that the State has demonstrated that attainment is not possible in the St. Louis Metropolitan Area despite the implementation of all reasonably available control measures. Therefore, USEPA approves an extension until December 31, 1987 of the statutory attainment deadline for ozone.

USEPA identified five areas in the transportation control plan for the Illinois portion of the St. Louis Metropolitan Area which in its judgment did not satisfy the requirements of the Act. As discussed below, the lead local agency, East-West Gateway Coordinating Council (EWGCC), has corrected three of these deficiencies and made a commitment to resolve the remaining deficiencies on specified schedules. A notice soliciting public comment on the acceptability of the schedules appears elsewhere in today's **Federal Register.** USEPA approves the transportation plan for the Illinois portion of the St. Louis Metropolitan Area on the condition that the State satisfy the requirements outlined below.

1. USEPA requested a more detailed description of the transportation planning process including the criteria used by the lead local agency to assess impacts of strategies. This request was complied with on page 35 of the section 175 grant application.

2. USEPA requested that implementor commitments be obtained and submitted. The January 25, 1980 letter from the State included a representative list of transportation measures for the Illinois portion of the St. Louis interstate area. This letter, submitted as a SIP revision, partially satisfies this requirement. The lead local agency acknowledged in an August 27, 1979 letter to USEPA that implementor commitments for additional measures will be obtained upon completion of the analysis of alternative strategies in July 1980.

Additionally, the lead local agency has made a commitment to provide implementor commitments on transportation control measures having emission reductions of 6.45% within twelve months of the effective date of this rulemaking.

3. USEPA requested the State to submit a schedule for conducting the analysis of the strategies in section 108 of the Act. This request was satisfactorily addressed on pages 39 and 47 of the section 175 grant.

4. USEPA requested that the State identify procedures for annually determining the consistency and conformity of the transportation control plan with the SIP. East-West Gateway Coordinating Council satisfactorily addressed this requirement on page 39 of the St. Louis Metropolitan Area Ozone Volume of the Illinois SIP.

5. USEPA requested additional information concerning a credit taken in the transportation control plan for a fifty percent increase in mass transit ridership. East-West Gateway Coordinating Council stated in their August 27, 1979 letter to USEPA that they will examine the feasibility of generating a fifty percent increase in the next year under a section 175 grant. EWGCC stated that because they have not yet had the opportunity to evaluate the means for achieving the increase, they cannot commit any resources to achieving the goal. USEPA believes this is a reasonable approach. EWGCC has made a commitment to secure necessary implementor commitments after the July

1980 completion of the analysis of alternative measures in section 108 of the Act for those projects which will effect the fifty percent ridership increase. Approval of the transportation control plan is conditioned upon the submittal of these commitments to USEPA within one year of the date of publication of this final rulemaking.

USEPA notes the possibility, however, that the alternatives analysis may demonstrate that the fifty percent increase in ridership cannot be achieved. This would prevent the associated emission reductions necessary to meet the ozone standard from being achieved. If this occurs, the alternatives analysis must produce substitute measures to achieve the necessary emission reductions.

USEPA acknowledges one additional issue pertaining to the requirement outlined in the USEPA Region VII Notice of Proposed Rulemaking which appeared in the **Federal Register** on October 25, 1979 for the St. Louis Metropolitan Area. In this Notice, USEPA requested a list of representative programmed transportation projects. In a letter dated January, 25, 1980, the State of Illinois satisfied this requirement by submitting a list of currently adopted and programmed transportation control measures for the Illinois portion of the St. Louis Metropolitan Area. The overall demonstration of attainment for the St. Louis Metropolitan Area will be addressed in a Notice of Final Rulemaking to be published shortly by USEPA's Region VII Office.

Vehicle Inspection and Maintenance

"Inspection/Maintenance" (I/M) refers to a program whereby motor vehicles receive periodic inspections to assess the functioning of their exhaust emission control systems. Vehicles which have excessive emissions must then undergo mandatory maintenance. Generally, I/M programs include passenger cars, although other classes of vehicles can be included as well. Enforcement can be accomplished by requiring proof of compliance in order to purchase license plates or to register a vehicle.

Section 172 of the Clean Air Act requires that State Implementation Plans (SIPs) for nonattainment areas must meet certain criteria. For areas which demonstrate that they will not be able to attain the ambient air quality standards for ozone or carbon monoxide by the end of 1982, despite the implementation of all reasonably available measures, an extension up to 1987 may be granted. In such cases, section 172(b)(11)(B) requires that: "the plan provisions shall establish a specific schedule for implementation of a vehicle emission control inspection and maintenance program * * *"

USEPA issued guidance on February 24, 1978, on the general criteria for SIP approval, including I/M, and on July 17, 1978, regarding the specific criteria for I/M SIP approval. Both of these items are part of the SIP guidance material referred to in the General Preamble for Proposed Rulemaking, 44 FR 23072, 20373, n.6.

Though the July 17, 1978, guidance should be consulted for details, the key elements for I/M SIP approval are as follows:

Legal Authority—States or local governments must have adopted the necessary statutes, regulations, ordinances, or other legally enforceable documents to implement and enforce the inspection/maintenance program. (Section 172(b)(10)).

Commitment—The appropriate governmental unit(s) must be committed to implement and enforce the I/M program. (Section 172(b)(10)).

Resources—The necessary finances and resources to carry out the I/M program must be identified and committed. (Section 172(b)(7)).

Schedule—A specific schedule to establish the I/M program must be included in the State Implementation Plan. (Section 172(b)(11)(b)). Interim milestones are specified in the July 17, 1978, memorandum in accordance with the general requirement of 40 CFR 51.15(c).

Program Effectiveness—As set forth in the July 17, 1978, guidance memorandum, the I/M program must achieve at least a 25 percent reduction in passenger car exhaust emissions of hydrocarbons and a 25 percent reduction for carbon monoxide. This reduction is measured by comparing the levels of emissions projected to December 31, 1987, with and without the I/M program. This policy is based on section 172(b)(2) which states that "the plan provisions * * * shall * * * provide for the implementation of all reasonably available control measures * * *" Specific detailed requirements of these five provisions are discussed below.

To be acceptable, I/M legal authority must be adequate to implement and effectively enforce the program and must not be conditioned upon further legislative approval or any other substantial contingency. However, the legislation can delegate certain decision making to an appropriate regulatory body. For example, a State department of environmental protection or department of transportation may be charged with implementing the program, selecting the type of test procedure as well as the type of program to be used, and adopting all necessary rules and regulations. I/M legal authority must be included with plan revisions which include I/M (i.e., a plan which establishes an attainment date beyond December 31, 1982) unless an approved extension to certify legal authority is granted by USEPA. The granting of such an extension, however, is an exceptional remedy to be utilized only when a State legislature has had no opportunity to consider enabling legislation.

Written evidence is also required to establish that the appropriate governmental bodies are "committed to implement and enforce the appropriate elements of the plan." (Section 172(b)(10).) Under section 172(b)(7), supporting commitments for the necessary financial and manpower sources are also required.

A specific schedule to establish an inspection/maintenance program is required. (Section 172(b)(11)(B)). The July 17, 1978, guidance memorandum established as USEPA policy the key milestones for the implementation of the various I/M programs. These milestones were the general SIP requirement for compliance codified at 40 CFR 51.15(c). This section required that increments of progress be incorporated for compliance schedules of over one year in length.

To be acceptable, an I/M program must achieve the requisite 25 percent reductions in both hydrocarbons and carbon monoxide exhaust emissions from passenger cars by the end of Calendar Year 1987. The Act mandated "implementation of all reasonably available control as expeditiously as practicable." Section 172(b)(2). At the time of passage of the Clean Air Act Amendments of 1977, several inspection/maintenance programs were already operating, including mandatory programs of New Jersey and Arizona, operating at about 20 percent stringency. (The stringency of a program is defined as the initial proportion of vehicles which would have failed the program's standards if the affected fleet has not undergone I/M before. Because some motorists tune their vehicles before I/M tests, the actual proportion of vehicles failing is usually a smaller number than the stringency of the program.) Depending on program type (private garage or centralized inspection), a mandatory I/M program may be implemented as late as December 31, 1982, and the attainment date may be as late as December 31, 1987. Based on an implementation date of December 31, 1982, and a 20 percent stringency factor, USEPA predicts the reductions of both

CO and HC exhaust emissions of 25 percent can be achieved by December 31, 1987. Earlier implementation of I/M will produce greater emission reductions. Thus, because of the Act's requirement for the implementation of all reasonably available control measures and because New Jersey and Arizona have effectively demonstrated practical operation of I/M programs with 20 percent stringency factors, it is USEPA policy to use a 25 percent emission reduction as the criterion to determine compliance of the I/M portion with section 172(b)(2).

In its State Implementation Plan, Illinois included provisions for an I/M program. Eight Illinois counties will be included in the I/M program: Cook, DuPage, Kane, Lake, McHenry, Will, Madison, and St. Clair Counties. These counties constitute the Illinois portions of the Chicago and St. Louis metropolitan areas. The SIP makes a demonstration that Cook, DuPage, Kane, Lake, McHenry, and Will counties cannot attain the primary national ambient air quality standards for 03 and CO by 1982, and that Madison and St. Clair counties cannot attain the 03 standard by 1982. Vehicle categories covered by the program will include gasoline powered light duty passenger cars, light duty trucks, and heavy duty vehicles and provides for annual inspection. Light duty passenger cars and light duty trucks older than 13 years old will be exempted from testing.

Inspections would be carried out by a private contractor working for the State. An idle mode inspection test will be used. Vehicles failing inspection must be repaired and reinspected. Enforcement of the program will be carried out through the State's vehicle registration system. Mandatory inspection and repair of vehicles is scheduled to start no later than December 31, 1982. The SIP identifies the financial resources required to implement and operate the I/M program. Total program costs for five years of operation (1983–1987) are estimated to be $31,600,000. The program will be largely self-supporting through the imposition of an annual inspection fee which is expected to be approximately $6.50 for light duty cars and trucks and $12.67 for heavy duty trucks. Any program expenditures not covered by the inspection fee will be supported by legislative appropriation. Through its I/M Implementation Schedule, Illinois makes a commitment to seek the appropriation of necessary funds to establish the program during the time period between January 1, 1980, to June 30, 1980.

Based on information in the SIP, in 1987 the I/M program will achieve a 32.2 percent reduction in HC exhaust emissions and a 43.2 percent reduction in CO exhaust emission for the Chicago metropolitan area, and a 20.3 percent reduction in HC exhaust emission and a 48.7 percent reduction in CO exhaust emissions for the St. Louis metropolitan area. These emission reductions were calculated by comparing total mobile source exhaust emissions in 1987 with and without the I/M program. The calculations are based on the assumptions that the I/M program will have a 30 percent stringency factor and that a mechanics training program will be implemented.

The Illinois submittal contains a certification that the State has sufficient legal authority to implement and enforce an I/M program. The basis for the State's certification of legal authority is the Illinois Environmental Protection Act (Ill. Rev. Stat., 1977, ch. 111 1/2. §§ 1005–1051, as amended), which gives the Pollution Control Board the authority to adopt regulations requiring the inspection of any vehicle which may cause or contribute to air pollution (Title 2, § 10(f)); and which prohibits any State, department or agency from licensing any vehicle not in compliance with Board regulations (Title 12, § 48(a)). The I/M implementation schedule contains a commitment by the Illinois Environmental Protection Agency to develop an I/M regulatory proposal and submit it to the Pollution Control Board this year. The Environmental Protection Act (Title 8, § 78) requires the Board to schedule a public hearing on any regulatory proposal submitted by the Illinois Environmental Protection Agency, and to adopt rules and regulations shown to be needed to carry out the intent of the Act (Title 2, § 10).

In the Notice of Proposed Rulemaking on the Illinois SIP (44 FR 128, July 2, 1979), USEPA proposed to approve the I/M portion of the SIP with the minor condition that the State commit to the implementation of a mechanics training program. Illinois EPA's response to the Notice of Proposed Rulemaking recognized the need for mechanics training and made a commitment to the development of such a program.

This response satisfies USEPA's condition on the necessary commitment to mechanics training. No other comments were received by USEPA with regard to the proposed approval of the I/M portion of the SIP. Therefore, USEPA is approving the I/M portion of the State of Illinois' SIP. As discussed above, the Illinois submission meets all of USEPA's criteria for I/M SIP approval: The State has legal authority to implement and enforce an I/M program, the program's projected emission reductions comply with the USEPA requirement for a 25 percent reduction in CO and HC exhaust emissions, the State is committed to obtain the necessary resources to establish the program, and the State's I/M implementation schedule contains the necessary milestones which will permit full implementation of the program by December 31, 1982.

Carbon Monoxide

Two areas of Illinois are designated as nonattainment for carbon monoxide. These areas include portions of Peoria County and Cook County. The Illinois SIP relies primarily on controlling emissions for mobile sources to attain the carbon monoxide NAAQS. As discussed above in the section of this notice on Transportation Control Plans, USEPA is conditionally approving the transportation control plans for the Peoria Metropolitan Area and Northeastern Illinois. Therefore, USEPA approves the portion of the Illinois SIP addressing attainment and maintenance of the carbon monoxide standards on the condition that the State satisfy the conditions specified above under the discussion of the Peoria and Northeast Illinois transportation control plans. These conditions must be satisfied within six months of the effective date of this rulemaking.

Nitrogen Dioxide

A portion of the Chicago Central Business District is designated as not attaining the nitrogen dioxide National Ambient Air Quality Standard. In the July 2, 1979 notice of proposed rulemaking, USEPA noted that evidence existed indicating that the nitrogen dioxide problem in Illinois was more extensive than originally indicated. Consequently, USEPA proposed approval of the portion of the SIP addressing nitrogen dioxide on the condition that the State commit itself to make additonal analyses of the problem and, if necessary to adopt and implement any additional measures necessary to assure attainment. In its comments on the notice of proposed rulemaking, the State of Illinois made a commitment to perform the necessary analyses to determine if there is a need to change the SIP for nitrogen dioxide in the designated nonattainment area. The State has made a commitment to complete the analysis and develop any necessary regulatory proposals by July 1, 1980. In addition, the State has made a commitment to seek adoption of any necessary regulations so that

attainment of the standard will be demonstrated by December 31, 1982. USEPA approves the nitrogen dioxide portion of the Illinois SIP on the condition that the State fulfills the conditions outlined above within the specified timeframes.

USEPA believes that the commitment to submit any necessary regulations to the IPCB is an adequate commitment by the State. USEPA recognizes that the State cannot legally prejudge the outcome of statutorily mandated regulatory proceedings. Nonetheless, in order to guarantee that the deficiencies are adequately addressed and that the plan is adequate to satisfy the requirements of the Act, USEPA imposes the additional condition that any necessary regulations can be finally promulgated by the State and submitted to USEPA by July 1, 1981.

In establishing the date by which any necessary regulations must be promulgated, USEPA has taken into consideration the complex IPCB rulemaking procedures which require technical as well as economic hearings and findings on all rulemaking actions. A notice of soliciting public comment on the acceptability of this schedule will appear in a separate Notice of Proposed Rulemaking to be published shortly.

New Source Review

Background

In March of 1979 the Illinois Environmental Protection Agency (IEPA) drafted new source review rules which provided for the issuance of construction permits to new or modified sources in nonattainment areas. The draft of the rules was submitted to USEPA on April 3, 1979 as part of Illinois draft State Implementation Plan (SIP) for nonattainment areas. The rules were subsequently filed April 24, 1979 by IEPA with the Illinois Secretary of State pursuant to Sections 5 (b) and (e) of the Illinois Administrative Procedure Act (IAPA), (Illinois Rev. Stat. Chapter 127, Section 1005) so as to become immediately effective. Section 5 (b) of the IAPA provides that:

> If any agency finds that an emergency, reasonably constituting a threat to the public interest, safety, or welfare, requires adoption of a rule upon fewer than 45 days notice and states in writing its reasons for that finding, it may proceed without prior notice or hearing or upon any abbreviated notice and hearing that it finds practicable, to adopt an emergency rule. The rule may be effective for a period of not longer than 150 days but the Agency's authority to adopt an identical rule under subsections (a)(1) and (a)(2) of this section is not precluded.

Section 5(e) provides that:

> If any agency is required by Federal law or Federal rules and regulations or by an order of court to adopt a rule under conditions which preclude the agency's compliance with the notice or hearing requirement of this Act, the agency may proceed to adopt such a rule upon filing with the Secretary of State. (Amended by PA 80–1035)

In its July 2, 1979 Notice of Proposed Rulemaking (44 FR 38587), USEPA solicited comment on the proposed rules and noted several deficiencies therein. These rules were subsequently subjected to public comment requirements of Section 5(a). As a result of public comment received, the IEPA submitted a revised set of rules to the Secretary of State on September 4, 1979. These rules were also effective immediately under Section 5 of the IAPA. The September 4, 1979 regulations included provisions which had not been previously submitted to USEPA for review. They also contained different numerical designations.[1] IEPA had 150 days from September 4, 1979 to finalize these rules by holding hearings and providing for a 45 day comment period or longer, if needed. The revised set of rules was published in the Illinois Register on September 14, 1979. Hearings were held before the legislative Joint Committee on Administrative Rules in October 1979. IEPA finalized these rules January 16, 1980.

On January 25, 1980 IEPA submitted the final new source review rules to USEPA. In doing so, the IEPA specifically reserved two provisions which differed significantly from the rules which USEPA proposed to approve on July 2 (44 FR 38587). The provisions are contained in Sections 5.1(a)(2)(ii) and 5.1(a)(2)(iii). These two new provisions will be formally submitted to USEPA shortly as a separate SIP revision action and will be the subject of a separate Notice of Proposed Rulemaking. In the interim, no permits will be issued under the reserved provisions.

The final rules also included other new material. Because this new material was not previously available for public review and comment, USEPA is also withholding rulemaking on this new material which is as follows: (1) The definition of reconstruction in Section 4.7; (2) the expansion of Section 4.11 (Section 3.10 April submittal) to include as allowable emissions "a reasonable estimate of emissions in excess of applicable standards during startup, malfunction or breakdown"; and (3) the Illinois' external offset procedures contained in Section 10. These provisions will be announced for public review and comment in a separate Notice of Proposed Rulemaking. In the Interim, no externally provided offsets will be available to sources seeking a construction permit under Illinois' New Source Review Regulations, nor will any permits be issued by IEPA under Sections 5.1(a)(ii) and 5.1(a)(2)(ii).

Comments

In response to the July 2, 1979 Notice of Proposed Rulemaking (44 FR 38587), USEPA received comments regarding the proposed new source review rules from three different commentors.

Comment: One commentor challenged the validity of IEPA's use of the emergency procedure contained in the IAPA for the adoption of rules. The commentor claimed that not only did IEPA fail to establish any "emergency" which triggered use of the rule but, in addition, the IEPA lacked statutory authority under the Illinois Environmental Protection Act to promulgate any substantive new source rules. This commentor, (representing an industry), and another commentor, (representing an environmental group), asserted that IEPA exceeded its authority in adopting Rules for Issuance of Permits to New or Modified Sources Affecting Nonattainment Areas because the rules impose substantive requirements upon new sources intending to build and upon existing sources intending to make modifications to their existing plants. They commented that these rules are substantive because they contain the following provisions: The adoption of environmental standards for the issuance of construction permits, and the requirement that new or modified sources reduce emissions to the lowest achievable emission rate.

These commentors claim that under the Illinois Environmental Protection Act, rules which contain substantive provisions such as requirements for emission offsets and LAER must be promulgated by the Illinois Pollution Control Board (IPCB); and that the IEPA had no authority to issue the rules.

The rules promulgated by IEPA cite Sections 4 and 39 of the Illinois Environmental Protection Act and Rule 103 of the Illinois Pollution Control Board Rules and Regulations as its authority for promulgating the Rules. Section 4(g) of the Act provides that:

> The Agency shall have the duty to administer, in accord with Title X of this Act, such permit and certification systems as may be established by this Act or by regulations adopted thereunder.

[1] Discussion of the individual rules include both the April numerical designation and the present designation of September 4, 1979.

Title X, Section 39(a) of the Illinois Environmental Protection Act requires the Agency to issue a permit to an applicant upon proof by the applicant that it will not cause a violation of the Act or of regulations promulgated under the Act. Section 39(a) provides further that the Agency in granting permits:

> May impose such conditions as may be necessary to accomplish the purposes of [the] Act, and as are not inconsistent with the regulations promulgated by the Board * * *

Rule 103 of the Illinois Pollution Control Board Rules and Regulations, promulgated by the Board, is an existing regulation which provides for the issuance of construction and operating permits. Under IPCB Rule 103(a)(2) the Agency is given the authority to "adopt procedures which require data and information * * * which are reasonably designed to determine compliance with the Act, [the] Chapter, and ambient air quality standards * * *" and is given additional authority to impose "such conditions in a Construction Permit as may be necessary to accomplish the purpose of the Act, and as are not inconsistent with the Regulations promulgated by the Board * * *".

Illinois also received similar comments at its public hearings held in May 1979, i.e., that the nonattainment area policy exceeded the statutory authority of IEPA. The commentors claimed that the Rules promulgated by IEPA require IEPA to determine the Lowest Achievable Emission Rate [LAER] for sources subject to the policy and that the authority to determine such emission limitations was given only to the IPCB. Illinois responded to these comments by citing Sections 4 and 39 of the Illinois Environmental Protection Act discussed above and by asserting that the stated purpose of the Act was the attainment and maintenance of air quality standards and "without the nonattainment area policy the Agency could not issue permits to sources upon which the attainment area policy places requirements." IEPA noted that LAER was not being enforced as an "emission standard" but as a "general policy for the improvement of air quality in nonattainment areas."

Response: USEPA is concerned about the commentors' assertion of IEPA's lack of statutory authority to promulgate the New Source Review Rules. While the Rules have been filed with the Secretary of State and have been reviewed by the Joint Committee on Administrative Rules which reviews, among other things the legal authority under which the rules were promulgated, USEPA is approving the rules on the condition that Illinois submit within one hundred and eighty days (180) a determination signed by the Illinois Attorney General that the promulgation of the New Source Review Rules is consistent with Illinois law; or, in the alternative, submit to USEPA for approval another nonattainment area new source review plan which is consistent with Illinois law and meets the requirement of the Clean Air Act.

Comment: LAER and offset determination for individual sources should be submitted to USEPA as SIP revisions so that they will be enforceable by citizen groups as well as USEPA.

Response: Illinois is presently adopting procedures providing for public comment on its issuance of permits and Section 304 of the Clean Air Act (42 U.S.C. 7604) provides for enforcement of construction permits by citizens.

Comment: One commentor questioned the authority of the Agency to treat an offset as an amendment to an operating permit on the basis that neither the Illinois Environmental Protection Act nor the IPCB's regulations require that an offset determination be considered in the process. This comment is directed to procedures for determination of external emission offsets and will be considered in a separate Notice of Proposed Rulemaking to be published at a later date.

Comment: One commentor stated that in order to provide for reasonable further progress, the growth allowance should be quantified and then recalculated each time a source draws upon it.

Response: States are free under the Clean Air Act to select their own emission offset procedure so long as the procedure meets the requirements of the Act and will provide reasonable further progress toward attainment. Illinois has in Section 12 of its New Source Review Regulations (Section 11, April submittal) provided that the demonstration of improvement in air quality shall not include "paper offsets" but shall include only actual emission reductions. Additionally § 173(b)(3) of the Clean Air Act requires periodic demonstrations of reasonable further progress in the interim between plan approval and attainment of NAAQS. Therefore, USEPA believes that the State new source review procedures meet these requirements of the Act.

Comment. Other comments received concerned the exemption provided for in Sections 4.1(a)(3) and 5.1(c) of the April submittal and specified in Section 10 of the April submittal (Section 11, November submittal). These provisions exempted certain sources from the requirement of the certification of compliance required by Section 173(3) of the Clean Air Act. The requirement was waived for sources actively seeking to overturn a violated regulation based upon technical infeasibility or economic unreasonableness. One commentor claimed that it was contrary to Section 173 of the Act and the other commentor believed it to be a reasonable exception.

Response: USEPA cited this exemption as a deficiency in its July 2 Notice of Proposed Rulemaking since such exemption is not permissible under Section 173 of the Act. Illinois has corrected this deficiency by deleting this exemption from Section 11 of the November submittal, (Section 10, April submittal).

Comment: One commentor challenged USEPA's action in the July 2 Notice of Proposed Rulemaking wherein USEPA cited the deficiencies in Illinois' New Source Review Rules. The challenge was based on the fact that the rules were not final rules, and on the allegation that the deficiencies were not a failure of meeting the requirements of Section 173.

Response: Responses to the question of the legality of USEPA proposing rulemaking on rules still to be finalized on the USEPA's authority to determine deficiencies in state plans which must be corrected before final plan approval are contained in the general preamble of this Notice.

Response of IEPA to Deficiencies Noted by USEPA in its July 2, 1979 Notice of Proposed Rulemaking

1. One deficiency of Illinois' New Source Review Rules pertained to the fact that Illinois does not have regulations which require a public comment period on permit applications (See 40 CFR 51.18). In its response to this deficiency, IEPA has made a commitment to adopt such regulations. In a letter dated December 11, 1979 IEPA has provided USEPA a copy of the proposed regulations filed with the Secretary of State. Hearings have been held on the rules and they are expected to be finally adopted early in 1980.

USEPA Response: Submission of these rules to USEPA for inclusion in the SIP will remove this longstanding SIP deficiency. Since the public notice provisions of 40 CFR 51.18 are not specifically required under Part D of the Act, and since the State is moving to correct the deficiency in an expeditious manner, this deficiency will not result in disapproval of the New Source Review portion of the State's nonattainment SIP.

2. Other deficiencies noted by USEPA in its April 2, 1979 Notice of Proposed Rulemaking pertained to the procedures for determining emission offsets in Section 9 of the April submittal of the Rules (Section 10, November submittal).

Sections in the Rule could have been interpreted to allow "paper offsets" and also contained references to a prohibition which would prevent overcomplying sources from increasing actual emissions. This prohibition was not contained in any Illinois regulation. Illinois corrected these deficiencies by changing the language in the new source review procedures to remove references to the nonexistent prohibition on increasing emissions, and to indicate that "paper offsets" (defined in the Illinois regulation as "offsets from the allowable emissions where no actual reductions in emissions occur") are not permissible in any air quality improvement demonstration.

USEPA Response: In USEPA's opinion, these changes resolve the noted deficiency.

3. Another deficiency cited by USEPA was that Section 8 of the April submittal (Section 9, November submittal) specified that in making lowest achievable emission rate (LAER) determinations, the Illinois EPA will depend on information reasonably available *to the applicant.* USEPA found that this determination of LAER was not consistent with the Clean Air Act, and that disputes over what was or was not reasonably available *"to the applicant"* would result in unnecessary litigation. USEPA requested the State to correct the deficiency by defining LAER in a manner consistent with the statutory definition in the Clean Air Act.

Illinois corrected this deficiency by eliminating the words "to the applicant".

USEPA Response: USEPA accepts this change as a correction of the deficiency.

4. USEPA cited the exemption of certain sources from certifying compliance as being too broad and not in concert with Section 173(3) of the Act. Illinois corrected this deficiency by narrowing the exemption to only those permitted under the Act.

USEPA Response: USEPA accepts this change as a correction to the noted deficiency.

5. The last deficiency cited by USEPA concerned the lack of criteria in the Rules for making air quality analyses. Illinois has corrected this deficiency by adding a section (Section 4.13) entitled "Acceptable Dispersion Modeling." The appropriate criteria for performing the required air quality analyses are specified in this provision.

USEPA Response: This action by Illinois corrects the deficiency.

Final Determination

USEPA conditionally approves Illinois New Source Review Rules on file with the Illinois Secretary of State with the exception that no action is being taken at this time on those portions of Section 5 which were reserved by IEPA; on the definitions in Section 4.7 and the new material in Section 4.11; and in Sections 10.1 and 10.2 of the November submittal which contains the procedure allowing external offsets. The approval is subject to the condition that Illinois submit within one hundred eighty days a determination signed by the Illinois Attorney General that the promulgation of the New Source Review Rules is consistent with Illinois law; or, in the alternative, submits to USEPA for approval another nonattainment area new source review plan which is consistent with Illinois law and meets the requirements of Sections 172(b)(6) and 173 of the Clean Air Act.

The 1978 edition of 40 CFR Part 52 lists in the subpart for each state the applicable deadlines for attaining ambient standards (attainment dates) required by Section 110(a)(2)(A) of the Act. For each nonattainment area where a revised plan provides attainment by the deadline required by Section 172(a) of the Act, the new deadlines will be substituted on the attainment date charts. The earlier attainment dates under Section 110(a)(2)(A) will be referenced in a footnote to the charts. Sources subject to plan requirements and deadline established under Section 110(a)(2)(A) prior to the 1977 Amendments remain obligated to comply with those requirements, as well with the new Section 172 plan requirements.

Congress established new deadlines under Section 172(a) to provide additional time for previously regulated sources to comply with new, more stringent requirements and to permit previously uncontrolled sources to comply with newly applicable emission limitations. If these new deadlines were permitted to supersede the deadlines established prior to the 1977 Amendments, sources that failed to comply with the pre-1977 plan requirements by the earlier deadlines would improperly receive more time to comply with those requirements. Congress, however, intended that the new deadlines apply only to new, additional control requirements and not to earlier requirements. As stated by Congressman Paul Rogers in discussing the 1977 Amendments:

> Section 110(a)(2) of the Act made clear that each source has to meet its emission limits "as expeditiously as practicable" but not later than three years after the approval of a plan. This provision was not changed by the 1977 Amendments. It would be a perversion of clear congressional intent to construe Part D to authorize relaxation or delay of emission limits for particular sources. The added time for attainment of the national ambient air quality standards was provided, if necessary, because of the need to tighten emission limits or bring previously uncontrolled sources under control. Delays or relaxation of emission limits were not generally authorized or intended under Part D. (123 Cong. Rec. H 11958, daily ed. November 1, 1977).

To implement fully Congress' intention that sources remain subject to pre-existing plan requirements, sources cannot be granted variances extending compliance dates beyond attainment dates established prior to the 1977 Amendments. Such variances would impermissibly relax existing requirements beyond the applicable Section 110(a)(2)(A) attainment date under the plan. Therefore, for requirements adopted before the 1977 Amendments, USEPA will not approve a compliance date extension beyond pre-existing 110(a)(2)(A) attainment dates, even though a Section 172 plan revision with a later attainment date has been approved.

However, in certain exceptional circumstances, extensions beyond a pre-existing attainment date are permitted. For example, if a Section 172 plan imposes new, more stringent control requirements that are incompatible with controls required to meet the pre-existing requirements and deadlines may be revised if a state makes a case-by-case demonstration that a relaxation or revocation is necessary. Any such exemption granted by a state will be reviewed and acted upon by USEPA as a SIP revision. In addition, as discussed in the April 4, 1979 **Federal Register** (44 FR 20373), an extension may be granted if it will not contribute to a violation of an ambient standard or a PSD increment.

Under Executive Order 12044, USEPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. USEPA labels these other regulations "specialized". I have reviewed this regulation and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

This notice of final rulemaking is issued under the authority of Sections 110(a) and 172 of the Clean Air Act, as amended (42 U.S.C. 7410(a), 7502).

Dated: February 13, 1980.

Barbara Blum,

Acting Administrator.

Title 40 of the Code of Federal Regulations, Chapter I, Part 52 is amended as follows:

1. Section 52.720(c) is amended by adding new subparagraphs (16)–(21) to read as follows:

§ 52.720 Identification of plan.

* * * * *

(c) * * *

(16) On April 4, 1979, the State submitted its draft nonattainment area plan for all areas designated nonattainment as of March 3, 1978 and as revised on October 5, 1978. This submittal contained a request for extensions of the statutory attainment deadline for CO and 03. The submittal also included a vehicle emission inspection and maintenance program and a new source review plan. Although the State submittal also included the following provisions, USEPA is taking no action to include them in the federally approved SIP at this time: Rule 203(d)(5) which controls particulate emissions from iron and steel sources, the portions of Rules 101, 103, and 105 relating to the provisions addressing malfunctions in general requirements of the Clean Air Act which are not Part D requirements, and the provisions covering open burning, mobile source emission standards, diesel locomotive emission standards, adoption of ambient air quality standards, organic emissions from organic water separation, carbon monoxide emissions from petroleum and petroleum chemical catalyst incinerators, sulfuric acid mist emissions, sulfur dioxide emissions for fuel combustion sources in other than major metropolitan areas, emissions from hydrogen sulfide flares at chemical manufacturing plants, compliance dates for organic emission limitations, carbon monoxide from polybasic organic acid partial oxidation processes, nitrogen dioxide emissions from new facilities burning coal refuse, emission limitations for air furnaces, particulate emissions from low carbon waste incinerators, and adoption of Federal New Source Performance Standards. In addition, USEPA is not rulemaking at this time on those portions of the following rules which contain specified changes made between the publication of the Notice of Proposed Rulemaking and the final rulemaking action: (i) The exemption in Rule 203(f)(3)(A) lifting control requirements from storage piles if the owner of the pile proves that fugitive emissions from the pile do not cross the property line; (ii) The deletion of the 10% opacity in Rule 203(f)(3)(C) for conveying operations; (iii) The provision of Rule 205(K)(1)(A) or (b) from all provisions of Rules 205(K) (2) and (3); (iv) The new materials in Section 4.11 of the Rules for Issuance of Permits to New or Modified Air Pollution Sources; (v) The addition of a definition of "reconstruction" in Section 4.7 of the Rules for Issuance of Permits; (vi) The procedure allowing external offsets contained in Section 10 of the Rules for Issuance of Permits.

(17) On August 29, 1979, the State submitted additional information and clarification for the nonattainment area plan in response to USEPA's July 2, 1979 notice of proposed rulemaking.

(18) On September 20, 1979, the State submitted a summary of public hearing comments on the plan.

(19) On October 30, 1979, the State submitted copies of Illinois Pollution Control board final orders for control of VOC emissions from stationary sources (Rule 205) and sources of fugitive particulates (Rule 203(f)).

(20) On December 20, 1979, the State submitted a letter containing the dates that most of the regulatory and nonregulatory portions of the nonattainment area plans were finally adopted by the Illinois Pollution Control Board. Rule 205 containing RACT controls for stationary sources of VOC was effective in the State on July 18, 1979. Rule 203(f) governing fugitive dust emissions was effective in the state on September 18, 1979.

(21) On January 25, 1980, the State submitted a copy of finally enacted "Rules for the Issuance of Permits to New or Modified Air Pollution Sources Affecting Nonattainment Areas." Sections 5.1(a)(2)(ii) and 5.1(a)(2)(iii) of these rules were reserved by the State. The effective date of these Rules was January 16, 1980.

§ 52.721 [Heading Revised]

2. Section 52.721 is revised by changing the heading "Photochemical Oxidants (hydrocarbons)" to "Ozone".

3. Section 52.722 is revised to read as follows:

§ 52.722 Approval status.

With the exceptions set forth in this subpart, the Administrator approved Illinois' plan for the attainment and maintenance of the National Ambient Air Quality Standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plan satisfies all requirements of Part D, Title I of the Clean Air Act as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

4. Section 52.723 is revised as follows:

§ 52.723 Extensions.

(a) The Administrator hereby extends until December 31, 1987 the attainment date for the national standards for CO and 03 in the Northeastern Illinois (Chicago) nonattainment area.

(b) The Administrator hereby extends until December 31, 1987 the attainment date for the national 03 standard in the Illinois portion of the St. Louis Metropolitan nonattainment area.

5. Section 52.724 is revised as follows:

§ 52.724 Control strategy: sulfur dioxide.

(a) Part D—Conditional Approval—The Illinois plan is approved provided that the following condition is satisfied:

(1) The plan includes a reanalysis of the Pekin, Illinois area, a submittal of the analysis results to USEPA; the proposal of any necessary, additional regulations to the Illinois Pollution Control Board to insure attainment and maintenance of the sulfur dioxide standard; and the promulgation of any necessary regulations. Any promulgated regulations must be submitted to USEPA.

6. Section 52.725 is revised as follows:

§ 52.725 Control strategy: particulates.

(a) Part D—Conditional Approval—The Illinois plan is approved provided that the following conditions are satisfied:

(1) The State utilizes emission factors for determining potential emissions, promulgates rules specifying the manner in which these emission factors will be used, and submits these rules to the Illinois Secretary of State and USEPA.

(2) The State conducts an analysis of the potential air quality impact from storage piles with uncontrolled emissions of less than 50 tons/year, submits the results of the analysis to USEPA, submits any necessary regulations to the Illinois Pollution Control Board, and promulgates and submits any necessary regulations to USEPA.

(b) Part D—Disapproval—USEPA disapproves the provisions of Rule 203(f) which allow the use of an equivalent method without review and approval of that method. Any source subject to Rule 203(f) which chooses to use an equivalent method must have that equivalent method submitted to USEPA and approved as a SIP revision. This disapproval does not in and of itself result in the growth restrictions of section 110(a)(2)(I).

(c) Part D—No Action—USEPA takes no action on the adequacy of rules submitted by Illinois to control particulate emissions from the iron and steelmaking industry.

7. Section 52.726 is revised as follows:

§ 52.726 Control Strategy: Ozone

(a) Part D—Conditional Approval—The Illinois plan is approved provided that the following conditions are satisfied.

(1) The State conducts a study to demonstrate that the three pound per hour, 15 pound per day exemption for solvent metal cleaners contained in Rule 205(k) represents reasonably available control technology (RACT), submits the results of the study to USEPA and, submits any necessary revisions to the regulations to the Illinois Pollution Control Board, promulgates any necessary revised regulations and submits them to USEPA.

(2) The State conducts a study to demonstrate that the 75% overall control efficiency requirement in Rule 205(n) represents RACT, submits the results of the study to USEPA, submits any necessary regulations representing RACT to the Illinois Pollution Control Board, promulgates and submits any necessary regulations to USEPA.

(b) Part D—Disapproval—USEPA disapproves the compliance schedule in Rule 205(j) as it applies to loading rack controls for all emission sources subject to Rule 205(b)(1), as approved by USEPA on May 31, 1972, which were required to be in compliance by December 31, 1973. This disapproval does not in and of itself result in the growth restrictions of section 110(a)(2)(I).

8. Section 52.727 is revised to read as follows:

§ 52.727 Attainment Dates for National Standards.

The following table presents the latest dates by which the national standards are to be attained. The dates reflect information presented in Illinois' plan, except where noted.

Air quality control region and nonattainment area	Pollutants						
	TSP		SO_2		NO_2	CO	O_3
	Primary	Secondary	Primary	Secondary			
Burlington-Keokuk Interstate (AQCR 65):							
a. Primary and Secondary Nonattainment Areas.	e	*g*	e	.....		e	e
b. Remainder of AQCR	c	c	c	c	c	c	c
East Central Illinois Intrastate (AQCR 66):							
a. Primary and Secondary Nonattainment Areas.	.....	*g*	.....	.....	.....	.....	e
b. Remainder of AQCR	c	c	c	c	c	c	c
Metropolitan Chicago Interstate (Indiana-Illinois) (AQCR 67):							
a. Primary and Secondary Nonattainment Areas.	e	*g*	.....	.....	e	f	f
b. Remainder of AQCR	c	c	c	c	c	c	c
Metropolitan Dubuque Interstate (AQCR 68):							
a. Primary and Secondary Nonattainment Areas.	.....	*g*	.....	.....	.....	.....	.....
b. Remainder of AQCR	c	c	c	c	c	c	c
Metropolitan Quad Cities Interstate (AQCR 69):							
a. Primary and Secondary Nonattainment Areas.	e	*g*	.....	.....	.....	.....	e
b. Remainder of AQCR	c	c	c	c	c	c	c
Metropolitan St. Louis Interstate (Missouri-Illinois) (AQCR 70):							
a. Primary and Secondary Nonattainment Areas.	e	*g*	.....	.....	.....	.....	f
b. Remainder of AQCR	c	c	c	c	c	c	c
North Central Illinois Intrastate (AQCR 71):							
a. Primary and Secondary Nonattainment Areas.	e	*g*	.....	.....	.....	.....	e
b. Remainder of AQCR	c	c	c	c	c	c	c
Paducah (Kentucky)-Cairo (Illinois) Interstate (AQCR 72):							
a. Primary and Secondary Nonattainment Areas.	.....	*g*	e	*g*	.....	.....	.....
b. Remainder of AQCR	c	c	c	c	c	c	c
Rockford (Illinois)-Janesville-Beloit (Wisconsin) Interstate (AQCR 73):							
a. Primary and Secondary Nonattainment Areas.	.....	*g*	.....	.....	.....	.....	e
b. Remainder of AQCR	c	c	c	c	c	c	c
Southeast Illinois Intrastate (AQCR 74):							
a. Primary and Secondary Nonattainment Areas.	.....	*g*	.....	.....	.....	.....	e
b. Remainder of AQCR	c	c	c	c	c	c	c
West Central Illinois Intrastate (AQCR 75):							
a. Primary and Secondary Nonattainment Areas.	e	*g*	.....	.....	.....	.....	e
b. Remainder of AQCR	c	c	c	c	c	c	c

a. Three years from plan approval or promulgation.
b. Air quality levels presently below primary standards or area is unclassified.
c. Air quality levels presently below secondary standards or area is unclassified.
d. July 1975.
e. December 31, 1982.
f. December 31, 1987.
g. December 31, 1985.

NOTE.—Dates or footnotes which are italicized are prescribed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable. These dates may be changed through revisions to the SIP by the State.

NOTE.—Sources subject to the plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with these requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.727.

NOTE.—For actual nonattainment designations, refer to 40 CFR Part 81.

9. Section 52.178 is revised as follows:

§ 52.728 Control strategy: Nitrogen Dioxide.

(a) Part D—Conditional Approval—The Illinois plan is approved provided that the following condition is satisfied:

(1) The State conducts analyses to determine the need to revise the SIP for nitrogen dioxide, develops any necessary additional regulatory proposals, promulgates any necessary regulations, and submits them to USEPA.

10. Section 52.729 is amended by adding new paragraph (b) to read as follows:

§ 52.729 Control Strategy: Carbon Monoxide.

(b) Part D—Conditional Approval—The Illinois plan is approved provided that the following condition is satisfied:

(1) The State corrects the deficiencies in the transportation control plans for the Peoria Metropolitan Area and the Northeastern Illinois (Chicago).

11. Section 52.737 is revised to read as follows:

§ 52.737 Transportation Control Plans.

(a) Part D—Conditional Approvals—The transportation control plan for the Peoria Metropolitan Area is approved provided that the following conditions are satisfied:

(1) The State provides a more detailed description of the transportation planning process.

(2) The State provides a description of procedures to annually determine the consistency and conformity of the transportation plan with the SIP.

(3) The State details how the emissions impact of implemented transportation projects will be annually assessed.

(4) The State assesses the social, economic, health, energy, air quality,

and welfare impacts of transportation control measures.

(5) The State identifies all potential CO hotspots in the Peoria Metropolitan Area and develops an acceptable strategy for eliminating them.

(6) The State identifies a mechanism for informing elected officials and implementors of progress towards meeting emission reduction goals and projects needed to meet these goals.

(b) Part D—Conditional Approvals—The transportation control plan for the Northeast Illinois (Chicago) Area is approved provided that the following conditions are satisfied:

(1) The State submits a schedule identifying transportation study areas.

(2) The State submits additional information on the objectives of the Chicago Areas Transportation Study Air Quality Advisory Committee.

(3) The State submits formally adopted representative air quality measures from the Transportation Improvement Programs and Transportation System Management programs. The State reviews the transportation plan, makes changes documenting air quality planning in the transportation sector.

(4) The State identifies both the cost of implementing strategies and available funding sources.

(5) The State explains the approach used in evaluating emission reductions from transportation projects.

(6) The State submits implementor commitments upon completion of the alternatives analysis.

(7) The State documents specific mobile source emission decreases.

(8) The State identifies procedures for annually determining the consistency and conformity of the transportation control plan with the SIP.

(9) The State submits additional information on reasonable further progress in eliminating carbon monoxide hotspot intersections and links.

(c) Part D—Conditional Approval—The transportation control plan for the Illinois portion of the St. Louis Metropolitan Area is approved provided that the following conditions are satisfied:

(1) The State submits implementor commitments upon completion of the alternatives analysis.

(2) The State submits additional information including funding sources concerning a credit taken in the transportation control plan for a fifty percent increase in mass transit ridership.

§ 52.736 [Revised]

12. Section 52.736 is revoked because of legal termination by Section 110(a)(5) of the Clean Air Act (42 U.S.C. 7410(a)(5)) and is revised to read as follows:

(a) Part D—Conditional Approval—The Illinois plan is approved provided that the following condition is satisfied:

(1) The State submits a determination signed by the Illinois' Attorney General that the promulgation of the New Source Review rules is consistent with Illinois law; or, in the alternative, submits to USEPA for approval another nonattainment area New Source Review plan which is consistent with Illinois law and meets the requirements of Sections 172(b)(6) and 173 of the Clean Air Act.

[FR Doc. 80-5301 Filed 2-20-80; 8:45 am]
BILLING CODE 6560-01-M

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40 CFR Part 52

[FRL 1417-5]

Approval and Promulgation of State Implementation Plan; Revision for Michigan; Correction

AGENCY: U.S. Environmental Protection Agency.

ACTION: Final rulemaking; correction.

SUMMARY: On December 21, 1979 (44 FR 75635) the U.S. Environmental Protection Agency (USEPA) published a Notice of Final Rulemaking, citing final approval of the Michigan Air Pollution Control Commission's Order as a revision to the Michigan Implementation Plan (SIP). The Order extends the compliance date for meeting sulfur dioxide emission limitations to January 1, 1985, subject to certain conditions.

The conditions outlined under Section (D) (Excursions Above Air Quality Standards) on page 75636, omitted a line of type. The notice read, "An excursion is a single ambient concentration above 365 $\mu g/m^3$ (0.14 ppm) calculated on a running 3-hour average." It should have read, "An excursion is a single ambient concentration above 365 $\mu g/m^3$ (0.14 ppm) calculated on a running 24-hour average or above 1,300 $\mu g/m^3$ (0.50 ppm) calculated on a running 3-hour average. On page 75635, in the summary, the Notice of Proposed Rulemaking page number was incorrectly listed as July 12, 1979 (44 FR 26765). The page number of the notice should have read (44 FR 40655). This correction notice contains the omitted information and the correct page number of the Notice of Proposed Rulemaking.

FOR FURTHER INFORMATION CONTACT: Mr. Gary Gulezian, Acting Chief, USEPA, Region V, Regulatory Analysis Section (312) 886-6053.

WRITTEN COMMENTS SHOULD BE SENT TO: Mr. Gary Gulezian, Acting Chief, USEPA, Region V, Regulatory Analysis Section, 230 South Dearborn Street, Chicago, Illinois 60604.

SUPPLEMENTARY INFORMATION: In the Notice of Final Rulemaking (44 FR 75635, December 21, 1979) USEPA published supplementary information regarding the conditions for extending the sulfur dioxide emission limitations compliance date to January 1, 1985 for the Detroit Edison Monroe County Power Plan in Michigan.

This correction notice adds the additional information to Section D (Excursions Above Air Quality Standards) on page 75636 of the December 21, 1979 (44 FR 75635). The corrected version should read as follows:

(An excursion is a single ambient concentration above 365 $\mu g/m^3$ (0.14 ppm) calculated on a running 24-hour average or above 1,300 $\mu g/m^3$ (0.50 ppm) calculated on a running 3-hour average.)

Also in the summary, on page 75635 of the notice, the page for the Notice of Proposed Rulemaking was incorrectly cited as 26765. The page number of the Notice should have read 44 FR 40655.

(42 U.S.C. 7410)

Dated: February 11, 1980.

John McGuire,
Regional Administrator.

[FR Doc. 80-5381 Filed 2-20-80; 8:45 am]
BILLING CODE 6560-01-M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 27

Nondiscrimination on the Basis of Handicap in Federally-Assisted Programs; Intent to Prepare an Environmental Impact Statement; Scoping Meeting

AGENCY: Office of the Secretary, DOT.

ACTION: Notice of Intent to Prepare Environmental Impact Statement (EIS) and Notice of Scoping Meeting.

SUMMARY: The Department of Transportation has been ordered by the U.S. District Court for the District of Columbia to prepare an environmental impact statement (EIS) on its regulation (49 CFR Part 27) implementing section 504 of the Rehabilitation Act of 1973. The regulation addresses the accessibility of federally assisted

transportation systems to handicapped persons. The Department will prepare an EIS which considers alternatives to the regulation. To help the Department to determine the key issues and the appropriate scope of their treatment in the EIS, the Department will hold a public "scoping" meeting on Friday, March 21, 1980.

DATES: Scoping meeting to be held March 21, 1980. Final EIS to be prepared by September 1, 1980.

ADDRESS: Scoping meeting location: DOT Headquarters Building, Room 2230; 9:30 a.m. 400 7th Street, S.W., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: George McDonald, Office of Environment and Safety, Room 9422, Department of Transportation, 400 Seventh Street, S.W., Washington, D.C. 20590. Telephone 202–426–4492. Office hours 9 a.m. to 5:30 p.m., Monday through Friday.

SUPPLEMENTARY INFORMATION: The Department of Transportation (DOT) will prepare an environmental impact statement (EIS) on a recently issued regulation implementing section 504 of the Rehabilitation Act of 1973 (29 U.S.C. section 794) in financial assistance programs of DOT. The regulation also implements section 16 of the Urban Mass Transportation Act (49 U.S.C. section 1612) and section 165(b) of the Federal-Aid Highway Act of 1973 as amended in 1974 (Pub. L. 93–643, 23 U.S.C. 142 nt.).

Background

In adopting this regulation on May 25, 1979, (44 FR 31477, May 31, 1979) the Department issued a "Negative Declaration" indicating that the regulation was not expected to have a significant environmental impact. As a result of subsequent litigation ("American Public Transit Association, *et al.* v. Neil Goldschmidt, *et al.*"), the U.S. District Court for the District of Columbia on February 7, 1980, ordered the Department to prepare an environmental impact statement for Subpart E of its regulation and to file the EIS with the Court by September 1, 1980. Subpart E covers the Department's program of assistance to mass transportation. The Department intends to prepare an EIS covering the entire section 504 regulation. The EIS will be prepared in accordance with the regulations of the Council on Environmental Quality (40 CFR 1500–1508) and the procedures of the Department of Transportation (DOT Order 5610.1C).

Section 504 provides that:

"No otherwise qualified handicapped individual in the United States . . . shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance . . . ."

Executive Order 11914 gives to the Secretary of Health, Education, and Welfare (HEW) authority to issue government-wide guidelines for the implementation of section 504. The HEW guidelines were issued on January 13, 1978 (43 FR 2132–2139) and the DOT regulation was found by HEW to comply with the guidelines.

The DOT regulation sets forth requirements for achieving "program accessibility" to handicapped persons in programs receiving financial assistance from this Department. The regulation also have provisions relating to nondiscrimination against handicapped persons in employment in such programs, provisions relating to complaint processing, and related matters.

The "proposed action" of the Department, which the EIS will address, is the section 504 regulation as promulgated. Alternatives to this action which will be considered include the following:

(a) Seek changes in the provisions of the HEW guidelines, and possibly the statutes involved, to permit DOT to amend the 504 regulation so as (1) to eliminate the requirement for "program accessibility" as defined in the regulation, including the requirement that new mass transit vehicles purchased with DOT funds be accessible to handicapped persons after specified dates (with some exceptions), or (2) in addition to the foregoing, to leave preexisting regulations of the Urban Mass Transportation Administration in effect (those regulations permitted local option in providing transportation services to the handicapped, including a paratransit option).

(b) Modify Subpart E of the regulation in one or more of the following ways:

—Extend or reduce the time frame for compliance;

—Require that a smaller or larger percentage of transit stations in those cities having rail transit systems be made accessible to handicapped persons;

—Make more or less stringent, or eliminate, the provisions allowing a waiver, in specified circumstances, of certain of the requirements regarding rail transit;

—Provide waiver provisions for cities having bus transit fleets below a specified size.

(c) Modify Subpart D of the regulation to extend or reduce time periods for compliance.

Scoping Process

The Department is initiating an immediate process to determine the scope of issues to be addressed in the EIS and to identify any significant environmental impacts related to the proposed action, pursuant to section 1501.7 of the CEQ regulations and paragraph 3(c) of DOT 5610.1C. The scoping process will assist the Department to identify the significant issues to be analyzed in depth in the EIS and to identify and eliminate from detailed study issues which are not significant. The process will include the receipt of written recommendations or suggestions from any interested party and the holding of a scoping meeting at which these questions will be discussed. The Department requests that any written suggestions with respect to the scope of the EIS be submitted as soon as possible, but not later than the date of the scoping meeting.

The scoping meeting will be held on Friday, March 21, 1980, commencing at 9:30 a.m., in room 2230 of the DOT Headquarters Building, 400 Seventh Street, S.W., Washington, D.C. For persons wishing to attend the scoping meeting, the most convenient point of access to room 2230 is via the building entrance near the corner of Sixth and E Streets, S.W. Access for persons using wheelchairs is most convenient via Seventh Street or E Street entryways into the building plaza.

Although there is no limitation on attendance at or participation in the scoping meeting, the Department would appreciate receiving notification from those parties who expect to participate. The Department would also appreciate learning of the principal areas of interest of the potential participants. Based upon the notifications of likely participation and areas of interest, the Department may issue a second notice establishing an agenda for the meeting and guidelines for the conduct of the meeting.

The person who can answer questions about the proposed action and the forthcoming EIS is Mr. George McDonald, Office of Environment and Safety, Room 9422, Department of Transportation, 400 Seventh Street, S.W. Washington, D.C. 20590 (telephone 202–426–4492). Submissions concerning the scope of the EIS and expressing intent to attend the scoping meeting should be addressed to Mr. McDonald.

Issued in Washington, D.C. Tuesday, February 19, 1980.

Donald F. Mazziotti,

Deputy Assistant Secretary for Policy and International Affairs.

[FR Doc. 80-5552 Filed 2-20-80; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 611 and 656

Atlantic Mackerel Fishery; Fishery Management Plan

AGENCY: National Oceanic and Atmospheric Administration (NOAA)/ Commerce.

ACTION: Promulgation of final regulations.

SUMMARY: These final regulations implement the fishery managment plan for the Mackerel Fishery of the Northwest Atlantic Ocean (FMP) prepared by the Mid-Atlantic Fishery Management Council (Council) under authority of the Fishery Conservation and Management Act of 1976, 16 U.S.C. 1801 *et seq.*, as amended (the Act). These final regulations control domestic and foreign vessels within the United States fishery conservation zone (FCZ), fishing for Atlantic mackerel (*Scomber scombrus*). The final regulations provide:

(1) Annual catch quotas for both domestic and foreign fishermen;

(2) A fishing year for Atlantic mackerel from April 1, 1979, through March 31, 1980;

(3) Recreational and commercial allocations of the annual domestic catch quota, and criteria for reallocating between these two user groups;

(4) Mandatory catch reporting by vessel operators and reporting by dealers/processors who purchase Atlantic mackerel; and

(5) A permit system for all commercial vessels and all party and charter boats catching Atlantic mackerel in the FCZ.

All regulations governing foreign fishing for Atlantic mackerel contained in 50 CFR Part 611 are incorporated in these regulations implementing the FMP. Those regulations are repromulgated to implement portions of the FMP.

Proposed regulations and approval and partial disapproval of the FMP were published on September 13, 1979 (44 FR 53191); public comment was invited for a 60-day period. No public comments were received.

EFFECTIVE DATES: These regulations are effective February 21, 1980, with the exception of § 656.4, § 656.5, and § 656.6, which are effective on March 1, 1980. The delay in implementing §§ 656.4–656.6 will allow domestic fishermen harvesting Atlantic mackerel to become familiar with the requirements for establishing fishing permits, reporting and recordkeeping and vessel identification.

ADDRESS: Copies of the approved FMP and the final regulatory analysis (RA) may be obtained by writing to the person listed below.

FOR FURTHER INFORMATION CONTACT: Mr. Allen E. Peterson, Jr., Regional Director, Northeast Region, National Marine Fisheries Service, 14 Elm Street, Gloucester, Massachusetts 01930, telephone (617) 281-3600.

SUPPLEMENTARY INFORMATION: The Assistant Administrator for Fisheries, NOAA, approved the FMP July 3, 1979. The FMP and these regulations supersede the Preliminary Fishery Management Plan and regulations for Atlantic mackerel, which controlled the fishery conducted by foreign vessels since March 1, 1977. The FMP, along with the implementing regulations, will terminate on April 1, 1980.

Several changes made in these regulations are discussed on a section-by-section basis below. Other technical and editorial changes of a minor nature were made in the final regulations.

§ 656.2 Definitions.

The definition of "commercial fishing" has been modified and the definition of "personal use" has been deleted from the proposed regulations. The intent of the FMP to exempt from permit requirements "recreational fishermen taking mackerel for their personal use" has been implemented by amending § 656.4(a) (see below).

"Person who receives mackerel for a commercial purpose" has been clarified to indicate that only a first purchaser is required to maintain fish dealer/ processor reports under § 656.5(b).

§ 656.4 Vessel permits and fees

Paragraph 4(a) has been changed by exempting from the permit requirement recreational vessels which catch no more than 100 pounds of mackerel per trip. All charter and party boats fishing for mackerel, however, must have permits. Difficulties in defining the "personal use of mackerel" led the agency to substitute a simpler exemption for recreational vessels which catch small amounts of mackerel.

The circumstances under which a permit expires have been expanded to include changes in length, gross tonnage, fish hold capacity of the vessel, home port, or regulated fisheries in which the vessel is engaged; these are in addition to changes in ownership or name of the vessel. The change is made to reflect the conditions and information stated on the permit.

§ 656.5 Recordkeeping and reporting

This section requires recordkeeping by fishing vessel operators and fish dealers/processors. An attempt is being made to standardize the recordkeeping provisions for all regulated Northwest Atlantic Ocean fisheries, because a single comprehensive recordkeeping form will be used for U.S. particpants in these regulated fisheries. Many of the changes in this section are a result of this standardization process.

In regard to fishing vessels, the term "fishing logbook report" was used in the proposed regulations. This has been replaced with "fishing vessel record," in order to establish internal consistency between the paragraph's heading and text.

In paragraph (b), the word "first" has been added to clarify the intention that only first transfers, purchases or receipts of fish are required to be reported. Subsequent transactions between dealers, wholesalers, etc., are not subject to this reporting requirement.

Language has been added to require negative reporting (i.e., that no regulated species were taken over the reporting period). Without such a provision, it is impossible to determine whether all permitted vessels are complying with the recordkeeping requirements. Exemptions from negative reporting may be granted for periods of two to ten months for vessels permitted under this Part which are not catching mackerel for that period of time. This exemption is intended to accommodate those vessels catching mackerel on a seasonal basis only, or vessels under repair.

§ 656.22 Reallocation

This section has been rewritten to incorporate the section entitled "Catch Quotas" in the proposed regulations and to clarify the reallocation process. The meaning and intent of this section remain unchanged. The FMP established guidelines for the expected harvest of Atlantic mackerel in the FCZ as follows:

(A) 4,500 mt for vessels engaged in recreational fishing, and

(B) 3,500 mt for vessels engaged in commercial fishing.

When 70 percent of these expected harvest levels is reached a review of the domestic mackerel fishery for reallocation may be required.

FMP Approval

The Assistant Administrator finds that the plan is consistent with the national standards, other provisions of the Act, and other applicable law.

National Environmental Policy Act of 1969 (NEPA)

Development and implementation of the FMP have been deemed a major Federal action significantly affecting the quality of the human environment. An environmental impact statement (EIS) has been prepared and a notice of availability was published January 2, 1979 (44 FR 109).

Executive Order 12044

A regulatory analysis, required by Executive Order 12044, has been prepared. Persons wishing to inspect this document may do so by contacting the Regional Director (see "address" above).

Administrative Procedure Act Cooling Period

The Assistant Administrator for Fisheries has determined that the 30-day "cooling" period required under the Administrative Procedure Act (APA) should be waived in order to prevent further delay in implementing the FMP, which will expire along with these regulations on April 1, 1980.

Signed at Washington, D.C. this 15th day of February, 1980.

Winfred H. Meibohm,

Executive Director, National Marine Fisheries Service.

(16 U.S.C. 1801 *et seq.*)

1. Those regulations in Part 611 governing foreign fishing for Atlantic mackerel which were promulgated pursuant to a Preliminary Fishery Management Plan are retained and remain in effect under the authority of the final Fishery Management Plan as it was published on September 13, 1979 (44 FR 53191).

2. Part 656 is adopted as final to read as set forth below:

PART 656—ATLANTIC MACKEREL FISHERY

Subpart A—General Provisions

Sec.
656.1 Purpose and scope.
656.2 Definitions.
656.3 Relation to other laws.
656.4 Vessel permits and fees.
656.5 Recordkeeping and reporting requirements.
656.6 Vessel identification.
656.7 Prohibitions.
656.8 Enforcement.
656.9 Penalties.

Subpart B—Management Measures

Sec.
656.20 Fishing year.
656.21 Allowable levels of harvest.
656.22 Reallocation.
656.23 Closure of fishery.
656.24 Area/time restrictions [reserved].
656.25 Gear/Vessel equipment restrictions [reserved].
656.26 Effort restrictions [reserved].

Authority: 16 U.S.C. 1801 *et seq.*

Subpart A—General Provisions

§ 656.1 Purpose and scope.

(a) These regulations in this Part: (1) implement the Fishery Management Plan for the Atlantic Mackerel Fishery of the Northwest Atlantic Ocean, which was prepared and adopted by the Mid-Atlantic Fishery Management Council and approved by the Assistant Administrator; and (2) govern fishing for Atlantic mackerel by fishing vessels of the United States within that portion of the Atlantic Ocean over which the United States exercises exclusive fishery management authority.

(b) The regulations governing fishing for Atlantic mackerel by foreign vessels in the fishery conservation zone are contained in 50 CFR Part 611.

§ 656.2 Definitions.

In addition to the definitions in the Act, the terms used in this Part shall have the following meanings:

Act means the Fishery Conservation and Management Act of 1976, as amended, 16 U.S.C. 1801 *et seq.*

Assistant Administrator means the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration, Department of Commerce, or an individual to whom appropriate authority has been delegated.

Atlantic mackerel or mackerel means the species *Scomber scombrus.*

Authorized Officer means:

(a) Any commissioned, warrant, or petty officer of the U.S. Coast Guard;

(b) Any certified enforcement officer or special agent of the National Marine Fisheries Services;

(c) Any officer designated by the head of any Federal or State agency which has entered into an agreement with the Secretary of Commerce and the Commandant of the U.S. Coast Guard to enforce the provisions of the Act; or

(d) Any U.S. Coast Guard personnel accompanying and acting under the direction of any person described in paragraph (a) of this definition.

Catch, take, or harvest includes, but is not limited to, any activity which results in mortality to any mackerel or in bringing any mackerel on board a vessel.

Charter or party boat means any vessel which carries passengers for hire to engage in fishing.

Commercial fishing means fishing with the purpose of selling part or all of any fish harvested.

Fishery Conservation Zone (FCZ) means that area adjacent to the United States which, except where modified to accommodate international boundaries, encompasses all waters from the seaward boundary of each of the coastal States to a line on which each point is 200 nautical miles from the baseline from which the territorial sea of the United States is measured.

Fishery Management Plan (FMP) means the Fishery Management Plan for the Atlantic Mackerel Fishery of the Northwest Atlantic Ocean, and any amendments thereto.

Fishing includes any activity, other than scientific research activity conducted by a scientific research vessel, which involves:

(a) The catching, taking, or harvesting of mackerel;

(b) The attempted catching, taking, or harvesting of mackerel;

(c) Any other activity which can reasonably be expected to result in the catching, taking, or harvesting of mackerel; or

(d) Any operations at sea in support of, or in preparation for, any activity described in paragraphs (a), (b) or (c) of this definition.

Fishing trip means a period of time during which fishing is conducted, beginning when the vessel leaves port and ending when the vessel returns to port.

Fishing vessel means any vessel, boat, ship, or other craft which is used for, equipped to be used for, or of a type which is normally used for: (a) fishing; or (b) aiding or assisting one or more vessels at sea in the performance of any activity relating to fishing, including but not limited to, preparation, supply, storage, refrigeration, transportation, or processing.

Fishing week means the weekly period beginning 0001 hours Sunday and ending 2400 hours Saturday.

Operator, with respect to any fishing vessel, means the master or other individual on board and in charge of that vessel.

Owner, with respect to any fishing vessel, means:

(a) Any person who owns that vessel in whole or in part;

(b) Any charterer of the vessel, whether bareboat, time or voyage;

(c) Any person who acts in the capacity of a charterer, including but not limited to parties to a management agreement, operating agreement, or any

similar agreement that bestows control over the destination, function, or operation of the vessel; or

(d) Any agent designated as such by a person described in paragraphs (a), (b) or (c) of this definition.

Person means any individual (whether or not a citizen or national of the United States), corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any State), and any Federal, State, local, or foreign government or any entity of any such government.

Person who receives Atlantic mackerel for a commercial purpose means any person (excluding governments and governmental entities) engaged in commerce who is the first purchaser of mackerel. The term includes, but is not limited to, dealers, brokers, processors, cooperatives, or fish exchanges. It does not include a person who only transports mackerel between a fishing vessel and a first purchaser.

Recreational fishing means fishing other than commercial fishing, and includes fishing by charter or party boats.

Regional Director means the Regional Director, Northeast Region, National Marine Fisheries Service, Federal Building, 14 Elm Street, Gloucester, Massachusetts 01930; or a designee.

Regulated species means any species for which fishing by a vessel of the United States is regulated pursuant to the Act.

United States harvested mackerel means mackerel caught, taken, or harvested by vessels of the United States under this Part, whether or not such mackerel is landed in the United States.

Vessel of the United States means:

(a) Any vessel documented or numbered by the United States Coast Guard under United States law; or

(b) Any vessel under five net tons which is registered under the laws of any State.

§ 656.3 Relation to other laws.

(a) Persons affected by these regulations should be aware that other Federal and State statutes and regulations may apply to their activities.

(b) All fishing activity, regardless of species sought, is prohibited pursuant to 15 CFR Part 924, on the U.S.S. *Monitor Marine Sanctuary*, which is located approximately 15 miles southwest of Cape Hatteras off the coast of North Carolina (35°00′23″N., 75°24′32″W.).

§ 656.4 Vessel permits and fees.

(a) *General.* Every fishing vessel which fishes for Atlantic mackerel under this Part must have a fishing permit issued under this section. Recreational vessels, other than party and charter boats, are exempt from this requirement if they catch no more than 100 pounds of mackerel per trip.

(b) *Eligibility* [Reserved].

(c) *Application.* (1) An application for a fishing permit under this Part must be submitted and signed by the owner or operator of the vessel on an appropriate form obtained from the Regional Director. The application must be submitted to the Regional Director at least 30 days prior to the date on which the applicant desires to have the permit made effective.

(2) Applicants shall provide all the following information:

(i) The name, mailing address including ZIP code, and telephone number of the owner of the vessel;

(ii) The name of the vessel;

(iii) The vessel's United States Coast Guard documentation number or the vessel's State registration number for vessels not required to be documented under provisions of Title 46 of the United States Code;

(iv) The home port or principal port of landing, gross tonnage, radio call sign, and length of the vessel;

(v) The engine horsepower of the vessel and year the vessel was built;

(vi) The type of construction, type of propulsion, and type of echo sounder of the vessel;

(vii) The permit number of any current or previous fishing permit issued to the vessel;

(viii) The approximate fish hold capacity of the vessel;

(ix) The type and quantity of fishing gear used by the vessel;

(x) The average size of the crew, which may be stated in terms of a normal range; and

(xi) Any other information concerning vessel and gear characteristics requested by the Regional Director.

(3) Any change in the information specified in paragraph (c)(2) of this section shall be submitted in writing to the Regional Director by the owner within 15 days of any such change.

(d) *Fees.* No fee is required for any permit issued under this Part.

(e) *Issuance.* The Regional Director shall issue a permit to the applicant not later than 30 days from the receipt of a completed application.

(f) *Expiration.* A permit shall expire upon any change in vessel ownership, registration, name, length, gross tonnage, fish hold capacity, home port or the regulated fisheries in which the vessel is engaged.

(g) *Duration.* A permit shall continue in effect until it expires or is revoked, suspended, or modified pursuant to 50 CFR Part 621.

(h) *Alteration.* No person shall alter, erase, or mutilate any permit. Any permit which has been intentionally altered, erased, or mutilated is invalid.

(i) *Replacement.* Replacement permits may be issued by the Regional Director when requested in writing by the owner or operator stating the need for replacement, the name of the vessel, and the fishing permit number assigned. An application for a replacement permit shall not be considered a new application.

(j) *Transfer.* A permit issued under this Part is not transferable or assignable. A permit shall be valid only for the fishing vessel and owner for which it is issued.

(k) *Display.* A permit issued under this Part must be carried on board the fishing vessel at all times. The operator of a fishing vessel shall present the permit for inspection upon request of any Authorized Officer.

(l) *Sanctions.* Subpart D of 50 CFR Part 621 (Civil Procedures) governs the imposition of sanctions against a permit issued under this Part. As specified in that Subpart D, a permit may be revoked, modified, or suspended if the permitted fishing vessel is used in the commission of an offense prohibited by the Act or these regulations, or if a civil penalty or criminal fine imposed under the Act is not paid.

§ 656.5 Recordkeeping and reporting requirements.

(a) *Fishing vessel records.* (1) The operator of any fishing vessel issued a permit to fish for mackerel under this Part shall:

(i) Maintain on board the vessel an accurate and complete fishing vessel record on forms supplied by the Regional Director; according to the requirements of § 656.5(a)(2). The vessel record shall contain information on a daily basis for the entirety of any trip during which any regulated species are caught, and shall contain information for all fish which are caught;

(ii) Make the fishing vessel record available for inspection or reproduction by an Authorized Officer, or an employee of the National Marine Fisheries Service designated by the Regional Director to make such inspections, at any time during or after a fishing trip;

(iii) Keep each fishing vessel record for one year after the date of the last entry in the fishing vessel record; and

(iv) Submit fishing vessel records, as specified in § 656.5(a)(2).

(2) the owner or operator of any fishing vessel conducting any fishing operation subject to this Part shall:

(i) Submit a complete fishing vessel record to a location designated by the Regional Director 48 hours after the end of any fishing week or fishing trip (whichever time period is longer) during which any regulated species were taken; or

(ii) Submit a statement to a location designated by the Regional Director 48 hours after the end of any calendar week within which no fishing for any regulated species occurred.

(3) Fishing vessel records shall contain information on a daily basis for the entirety of any trip during which mackerel or any other regulated species are caught, and shall contain information for all fish which are caught.

(4) A request for exemption from the provisions of paragraph (a)(2)(ii) of this section shall be submitted in writing to the Regional Director. Such request shall state the reason for the request and the period of time for which the exemption is to apply. The Regional Director may issue an exemption for a period of time greater than two months and less than ten months. If an exemption is issued, the Regional Director must be notified in writing of the operator's intent to resume fishing before fishing may be resumed.

(5) The Assistant Administrator may revoke, modify, or suspend the permit of a fishing vessel whose owner or operator falsifies or fails to submit the records and reports prescribed by this section, in accordance with the provisions of 50 CFR Part 621.

(b) *Fish dealer or processor reports.* Any person who receives Atlantic mackerel for a commercial purpose from a fishing vessel subject to this Part shall:

(1) File a weekly report (Sunday through Saturday) to a location designated by the Regional Director on forms supplied by the Regional Director within 48 hours of the end of any week in which mackerel is received. This report shall include information on all first transfers, purchases, or receipts of mackerel and all other fish made during the week; and

(2) Permit an Authorized Officer, or an employee of the National Marine Fisheries Service designated by the Regional Director to make inspections, to inspect or reproduce any records or books relating to any first transfers, purchases, or receipts of mackerel. These inspections may take place at the principal place of business or at the location where these required records regularly are kept.

§ 656.6 Vessel identification.

(a) *Official number.* Each fishing vessel subject to this Part and over 25 feet in length shall display its Official Number on the port and starboard sides of the deckhouse or hull and on an appropriate weather deck so as to be clearly visible from enforcement vessels and aircraft. The Official Number is the documentation number issued by the U.S. Coast Guard for documented vessels or the registration number issued by a State of the U.S. Coast Guard for undocumented vessels.

(b) *Numerals.* (1) The Official Number shall be at least 18 inches in height for fishing vessels over 65 feet in length and at least 10 inches in height for all other vessels over 25 feet in length.

(2) The Official Number shall be permanently affixed to or painted on the vessel and shall be painted legibly in block Arabic numerals in contrasting color. However, charter or party boats may use nonpermanent markings to display the Official Number whenever the vessel is fishing for mackerel.

(c) *Vessel length.* The length of a vessel, for purposes of this section, is that length set forth in U.S. Coast Guard or State records.

(d) *Duties of operator.* The operator of each fishing vessel shall:

(1) Keep the Official Number clearly legible and in good repair, and

(2) Ensure that no part of the fishing vessel, its rigging, or its fishing gear obstructs the view of the Official Number from an enforcement vessel or aircraft.

§ 656.7 Prohibitions.

It is unlawful for any person to:

(a) Use any vessel for the taking, catching, harvesting, or landing of any Atlantic mackerel (except as provided for in section 656.4(a)), unless the vessel has a valid permit issued pursuant to this Part, on board the vessel;

(b) Fail to report to the Regional Director within 15 days any change in the information contained in the permit application for a vessel;

(c) Falsify or fail to make, keep, maintain, or submit any fishing vessel record or fish dealer/processor report, or other record or report required by this Part;

(d) Make any false statement, oral or written, to an Authorized Officer, concerning the taking, catching, landing, purchase, sale, or transfer of any mackerel;

(e) Fail to affix and maintain vessel markings as required by § 656.6 of this part;

(f) Possess, have custody or control or, ship, transport, offer for sale, sell, purchase, import, export, or land any Atlantic mackerel taken in violation of the Act, this Part, or any regulation promulgated under the Act;

(g) Fish for, take, catch, or harvest any Atlantic mackerel from the FCZ after the fishery has been closed pursuant to § 656.23;

(h) Transfer directly or indirectly, or attempt to so transfer, any United States harvested mackerel to any foreign fishing vessel, while such vessel is within the FCZ, unless the foreign fishing vessel has been issued a permit under section 204 of the Act, which authorizes the receipt by such vessel of the United States harvested mackerel;

(i) Refuse to permit an Authorized Officer, or an employee of the National Marine Fisheries Service designated by the Regional Director to make such inspections, to inspect any fishing vessel record, fish dealer/processor reports, or other records relating to the taking, catching, harvesting, landing, first purchase, or sale of Atlantic mackerel;

(j) Refuse to permit an Authorized Officer to board a fishing vessel subject to such person's control for purposes of conducting any search or inspection in connection with the enforcement of this Act, this Part, or any other regulation promulgated under the Act;

(k) Fail to comply immediately with enforcement and boarding procedures specified in § 656.8;

(l) Forcibly assault, resist, oppose, impede, intimidate, threaten or interfere with an Authorized Officer in the conduct of any search or inspection under the Act;

(m) Resist a lawful arrest for any act prohibited by this Part;

(n) Interfere with, obstruct, delay, or prevent by any means the apprehension or arrest of another person knowing that such other person has committed any act prohibited by this Part;

(o) Interfere with, obstruct, delay, or prevent by any means the lawful investigation or search in the process of enforcing this Part;

(p) Violate any other provision of this Part, the Act, or any regulation promulgated pursuant thereto.

§ 656.8 Enforcement.

(a) *General.* The operator of any fishing vessel subject to this Part shall immediately comply with instructions issued by an Authorized Officer to facilitate safe boarding and inspection of the vessel, its gear, equipment, fishing record, and catch for purposes of enforcing the Act and this Part.

(b) *Signals.* Upon being approached by a U.S. Coast Guard vessel or aircraft, or other vessel or aircraft authorized to enforce the Act, the operator of the fishing vessel shall be alert for

communications conveying enforcement instructions. VHF–FM radiotelephone is the normal method of communication between vessels. Should radiotelephone communications fail, however, other methods of communication, including visual signals, may be employed. The following signals extracted from the International Code of Signals are among those which may be used, and are included here for the safety and information of fishing vessel operators:

(1) "L" means "You should stop your vessel instantly";

(2) "SQ3" means "You should stop or heave to; I am going to board you; and

(3) "AA AA AA etc.," which is the call to an unknown station, to which the signaled vessel shall respond by illuminating the vessel's Official Number required by § 656.6.

(c) *Boarding.* A vessel signaled to stop or heave to for boarding shall:

(1) Stop immediately and lay to or maneuver in such a way as to permit the Authorized Officer and his/her party to come aboard.

(2) Provide a safe ladder for the Authorized Officer and his/her party;

(3) When necessary to facilitate the boarding and/or when requested by an authorized Officer, provide a man rope, safety line and illumination for the ladder; and

(4) Take such other actions as necessary to insure the safety of the Federal Law Enforcement Officer and his/her party to facilitate the boarding.

§ 656.9 Penalties.

Any person or fishing vessel found to be in violation of this Part will be subject to the civil and criminal penalty provisions and forfeiture provisions prescribed in the Act, and to 50 CFR Part 620 (Citations) and Part 621 (Civil Procedures).

Subpart B—Management Measures

§ 656.20 Fishing Year.

The fishing year for Atlantic mackerel is the 12-month period beginning April 1 and ending on March 31 of the following year.

§ 656.21 Allowable Levels of Harvest.

(a) *Catch Quotas.* The allowed levels of harvest on a fishing year basis for Atlantic mackerel are divided into annual catch quotas for vessels of the United States and vessels of foreign nations as follows:

(1) *Domestic fishery.* The annual catch quotas of Atlantic mackerel for vessels of the United States are 9,000 mt for vessels engaged in recreational fishing and 5,000 mt for vessels engaged in commercial fishing.

(2) *Foreign fishery.* The annual catch quota of Atlantic mackerel for vessels of foreign nations is 1,200 mt.

(b) *Territorial waters.* These regulations do not limit harvests of Atlantic mackerel in the waters landward of the FCZ. Harvests from these waters, however, shall be subtracted from the annual domestic quotas set forth in paragraph (a)(1) of this section.

§ 656.22 Reallocation.

(a) *General.* This section establishes a procedure which will be followed to make timely reallocations of catch quotas between domestic recreational and domestic commercial fisheries.

(b) *Procedure.* (1) *Time of review.* The Assistant Administrator shall review the status of the mackerel fishery when the first of the following occurs:

(i) the domestic recreational catch reaches 5,000 mt;

(ii) the domestic commercial catch reaches 5,000 mt;

(iii) the recreational catch in the FCZ reaches 3,150 mt;

(iv) the commercial catch in the FCZ reaches 2,450 mt; or

(v) October 1.

(2) *Initial determination.* If the Assistant Administrator determines, based upon relevant past catch data and projections of future harvesting performance for the remainder of the fishing year, that either the commercial or recreational levels of harvest will not be attained, he may reallocate amounts of mackerel that are projected not to be harvested between the commercial and recreational catch quotas. The purpose of reallocation is to minimize the possibility of closure in either fishery and to assist in attaining the domestic quota and optimum yield.

(3) *Public comment.* The public shall be given no less than 15 days from the date of publication of the notice of intent to reallocate to submit written comments concerning the amount of Atlantic mackerel to be reallocated. Comments shall be sent to the Regional Director.

(4) *Consultation.* During the 15-day public comment period, the Assistant Administrator or a designee shall consult with the appropriate committee of the Mid-Atlantic Fishery Management Council to assist his determination whether the proposed reallocation of Atlantic mackerel is consistent with the objectives contained in the FMP.

(5) *Final determination.* The Assistant Administrator shall make a final determination of the amount of Atlantic mackerel to be reallocated after taking into account:

(i) The intent and capability of U.S. fishing vessels to harvest Atlantic mackerel during the remainder of the fishing year;

(ii) The consistency of any reallocation with the objectives contained in the FMP;

(iii) The most current information available concerning the biological status of the species of Atlantic mackerel; and

(iv) Any other information determined by the Assistant Administrator to be relevant.

(6) *Publication of reallocations.* The Assistant Administrator shall publish in the **Federal Register** any reallocation of Atlantic mackerel pursuant to paragraph (b)(5) of this section approximately 15 days prior to the effective date of the reallocation. Comments received during the comment period, all relevant information used by the Assistant Administrator in making a final determination on reallocation, and the most recent catch statistics for domestic harvest of Atlantic mackerel to be reallocated shall be summarized in the **Federal Register.**

§ 656.23 Closure of fishery.

(a) *General.* The Regional Director shall periodically monitor catches and landings of Atlantic mackerel.

(b) *Decision to close.* When 80 percent of either of the annual domestic catch quotas specified in § 656.21 (as modified by any reallocation under § 656.22) has been harvested, the Assistant Administrator shall close the affected fishery.

(c) *Notice of closure.* If the Assistant Administrator determines that a closure of either the domestic recreational or commercial fishery for mackerel is necessary, the Assistant Administrator shall:

(1) Notify in advance the Executive Directors of the Mid-Atlantic, New England, and South Atlantic Fishery Management Councils of the closure;

(2) Mail notifications to all holders of permits issued under § 656.5 of the closure at least 72 hours prior to the effective date of the closure; and

(3) Publish a notice of closure in the **Federal Register.**

(d) *Incidental Catch.* During a period of closure, fishing vessels may catch, take, or harvest Atlantic mackerel incidental to fishing for other species of fish, provided that the amount of Atlantic mackerel constitutes no more than 10 percent by weight of the total catch of all other fish on board the vessel at the end of any fishing trip.

§ 656.24 Area/Time Restrictions—[Reserved]

§ 656.25 Gear/Vessel Equipment Restrictions—[Reserved]

§ 656.26 Effort Restrictions—[Reserved]

[FR Doc. 80-5514 Filed 2-20-80; 8:45 pm]
BILLING CODE 3510-22-M

Proposed Rules

Federal Register
Vol. 45, No. 36
Thursday, February 21, 1980

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1011

[Docket No. AO-251-A22]

Milk in the Tennessee Valley Marketing Area; Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Correction

In FR Doc. 80–4821 appearing on page 9942 in the issue of Thursday, February 14, 1980, in the first column of page 9943, paragraph D is corrected to read as follows:

D. Add a new subparagraph (4) to paragraph (a) of § 1011.42 *Classification of Transfers and Diversions* to read as follows:

§ 1011.42 [Amended]

(a) * * *

(4) Milk transferred or diverted to another pool plant from a pool plant pursuant to § 1011.7(a)(2) or § 1011.7(b) shall be classified pro-rata to the respective amounts remaining in each class at the pool plant of the transferee or divertee handler after making the assignments pursuant to § 1011.44(a)(12) and the corresponding step of § 1011.44(b).

BILLING CODE: 1505-01-M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 73

Physical Protection of In-Transit Special Nuclear Material of Moderate Strategic Significance

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: On January 14, 1980, the Nuclear Regulatory Commission (NRC) published in the **Federal Register** (45 FR 2657) proposed amendments to 10 CFR Part 73 to allow the NRC to delay the shipments of certain quantities of Special Nuclear Material (SNM) of moderate strategic significance. The NRC is republishing these proposed amendments to explain how the scheduling control for preventing concurrent shipment of two or more quantities of SNM of moderate strategic significance totalling more than a formula amount will be implemented and to include additional requirements in subdivisions (i), (ii) and (iii) of 10 CFR 73.67(e)(6). The comment period has also been extended.

DATES: Comments due on or before March 24, 1980.

ADDRESSES: Written comments or suggestions for consideration in connection with the proposed amendments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch. Copies of comments received may be examined at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Mr. C. K. Nulsen, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 (Phone 301–427–4181).

SUPPLEMENTARY INFORMATION: The Commission has been concerned that possible theft of concurrent shipments of SNM of Moderate strategic significance could result in the accumulation by an adversary of a formula quantity of SSNM. In the Physical Protection Upgrade Rule (44 FR 68184 November 28, 1979), the Commission prohibits the coincident transport by a single licensee of two or more shipments of SNM of moderate strategic significance if in the aggregate the series amounts to a formula quantity of SSNM. The NRC now proposes an amendment that would allow the NRC to delay the dispatching of one or more shipments of SNM of moderate strategic significance by two or more licensees whenever it appears a formula quantity of SSNM would be enroute at the same time. Implementation of this amendment would (1) help to assure that a formula quantity of SSNM could not be lost or stolen while in transit, and (2) provide the NRC with the capability of preventing the loss of additional material to an adversary before an accounting of a lost shipment has been made.

The NRC intends to institute the following procedures to implement this proposed amendment. A licensee shipper of an amount of SNM of moderate strategic significance is required by 10 CFR 73.72 to notify the appropriate NRC Inspection and Enforcement (IE) Regional Office by both mail and telephone at least seven (7) days in advance of any shipment of SNM of moderate strategic significance. IE Headquarters will in turn notify the Division of Safeguards, Office of Nuclear Material Safety and Safeguards (NMSS), of scheduled shipments of SNM of moderate strategic significance. Division of Safeguards staff will call the licensee to determine the actual start and end times and dates of the shipment and will, no later than two days prior to the forecast shipment date, determine if a formula quantity or more will be enroute at the same time and will recommend to the Director, Division of Safeguards whether to delay any shipment of SNM of moderate strategic significance. According to proposed § 73.67(e)(6)(ii), confirmation of the receipt of the SNM at its destination will be made by the receiver or the shipper, if the receiver is not a licensee, and the Commission will be notified. If the Director determines to delay a shipment of SNM of moderate strategic significance, NRC will then notify the affected licensee of the delay by both telephone and telegraph. Decisions for delaying a shipment will be based on the following: (1) Total time needed to complete the shipment, (2) the impact of a schedule delay on the use of the SNM at the delivery site, (3) expected routing, (4) relationship of the material to the national defense or to other essential programs, and (5) whether a licensee might volunteer to delay shipment. Under the rule, advance approval of shipments is not required, the burden is on NRC to order the delay of a shipment if appropriate.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and section 553 of title 5 of the United States Code, notice is hereby given that adoption of the following amendment to Title 10, Chapter I, Code of Federal Regulations, Part 73 is contemplated.

PART 73—PHYSICAL PROTECTION OF PLANTS AND MATERIALS

§ 73.67 [Amended]

1. New subdivisions (i), (ii) and (iii) are added to § 73.67(e)(6) of 10 CFR Part 73 to read as follows:

* * * * *

(e) In-Transit Requirements for Special Nuclear Material of Moderate Strategic Significance.

* * * * *

(6) If, after receiving advance notice of shipment of special nuclear material pursuant to § 73.72, it appears to the Commission that two or more shipments of special nuclear material of moderate strategic significance, constituting in the aggregate an amount equal to or greater than a formula quantity of strategic special nuclear material, may be en route at the same time, the Commission may order one or more of the shippers to delay shipment according to the following procedures:

(i) The shipper shall provide to the Commission, upon request, additional information regarding a proposed shipment pertinent to the decision on whether to delay such shipment.

(ii) The receiver, or the shipper if the receiver is not a licensee, shall confirm receipt and integrity of a given shipment and notify the Director of the appropriate Nuclear Regulatory Commission Inspection and Enforcement Regional Office listed in Appendix A by telephone no later than 24 hours after receipt.

(iii) The Commission shall notify the affected shippers no later than two days before the scheduled shipment date that a given shipment is to be delayed.

* * * * *

(Secs. 53, 161i, 161o, Pub. L. 83-703, 68 Stat. 930, 949, 950, as amended (42 U.S.C. 2073, 2201))

Dated at Washington, D.C. this 14th day of February 1980.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 80-5370 Filed 2-20-80; 8:45 am]

BILLING CODE 7590-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Ch. 1

[Petition Notice No. PR-79-3B]

Grant of Petition for Rulemaking of the National Federation of the Blind

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Publication of Grant of petition for rulemaking.

SUMMARY: This notice published the Grant of the petition for rulemaking of the National Federation of the Blind (NFB), dated September 14, 1977, for repeal and amendment of various sections of Parts 121 and 123 of the Federal Aviation Regulations, (FAR) 14 CFR Parts 121 and 123. The petition was granted to allow the initiation of rule making to permit the readily accessible storage of flexible travel canes and the initiation of rule making concerning the amendment of regulations pertaining to the carriage of persons who may need assistance of others in the event of an emergency evacuation.

FOR FURTHER INFORMATION CONTACT: Edward P. Faberman, Regulations and Enforcement Division, (AGC-20), Office of the Chief Counsel, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-3073.

Availability of Notice

Any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, Independence Avenue, SW., Washington, D.C. 20591, or by calling (202) 426-8058. Communications must identify the notice number of this document.

Grant of the NFB Petition

The Federal Aviation Administration publishes verbatim the following Grant of petition for rule making of the National Federation of the Blind, dated January 18, 1980.

Issued in Washington, D.C., on February 15, 1980.

Edward P. Faberman,

Acting Assistant Chief Counsel, Regulations and Enforcement Division.

[Regulatory Docket No. 17320]

National Federation of the Blind; Grant of Petition

In the matter of the petition of National Federation of the Blind, to revoke portions of Parts 121 and 123 of the Federal Aviation Regulations.

By letter dated September 14, 1977, Mr. James Gashel, Chief, Washington Office, the National Federation of the Blind ("NFB"), Suite 212, Dupont Circle Building, 1346 Connecticut Avenue, NW., Washington, D.C., 20026 petitioned the Administrator to revoke those portions of Parts 121 and 123 of the Federal Aviation Regulations which deal with air transportation of persons who may need evacuation assistance. The Federal Aviation Administration ("FAA") denied the petition on March 10, 1979 (Docket No. 17320). Subsequently, the NFB sought review of FAA's denial in the United States Court of Appeals for the District of Columbia Circuit. On January 10, 1979, the Court granted an FAA motion giving the agency time in which to reconsider the NFB petition for rule making. The motion was, in part, based upon a request by FAA's Deputy Administrator that the Civil Aeromedical Institute ("CAMI") in Oklahoma City conduct additional tests regarding the feasibility and safety of allowing blind persons to keep long rigid canes at their seats during takeoff and landing. CAMI accomplished the requested additional testing and on May 3, 1979, the FAA published in the **Federal Register** (44 FR 25879) a copy of the petition and a summary of the CAMI report for public comment (the entire CAMI report was available on request). The petition and summary of the CAMI report were published as part of the agency's policy to maximize public involvement in the regulatory process. In addition , this enabled the agency to solicit all available information before a review of the issues presented by the NFB petition was completed to ensure that all regulatory alternatives were considered. This publication was also consistent with Executive Order 12044, signed by President Carter on March 23, 1978.

The NFB petition requested the following:

1. The repeal of the amendment to § 121.13(a) which inserts the phrase "121.586" after the phrase "121.575."
2. The repeal of § 121.586 of Part 121.
3. The amendment of § 121.589(a) to exclude from those items which must be stowed away from the passenger the flexible travel canes of blind persons.
4. The repeal of the amendment of § 123.27(k) which deleted the phrase "and § 121.574" and inserted, instead, the phrase "121.574 and 121.586."

Section 121.13(a) specifies the Part 121 rules which are applicable to helicopter operations.

Section 121.586 states, in pertinent part, that no certificate holder may refuse transportation to a person who may need evacuation assistance unless the certificate holder has established procedures (including reasonable notice requirements) and the passenger fails to comply with the notice requirements or cannot be carried in accordance with the certificate holder's procedures.

Section 121.589(a) states, in pertinent part, that no certificate holder may permit an airplane to take off or land

unless each article of baggage is properly stowed.

Section 123.27 specifies the rules of Part 121 which are applicable to holders of air travel club certificates.

For purposes of this petition it must be assumed that the term "flexible travel canes" does not include folding or telescoping canes since those canes can presently be carried in accordance with § 121.589(a).

The NFB stated the following in support of its petition:

"Our interest in the repeal of the above-listed FAR sections is as follows: The sections enforce procedures for the carriage of the handicapped on air carriers. The procedures work unreasonable hardship on the blind citizens of the United States in pursuit of their constitutionally protected activities for the following reasons:

"(1) The sections require blind citizens to follow procedures set up arbitrarily by private air carriers, which procedures are kept secret from those who must follow them.

"(2) The sections enforce humiliating, discriminatory, and unnecessary procedures to ensure "safety," although there is no evidence that the safety hazards cited actually exists.

"(3) The sections do not prohibit illegal discrimination in treatment of the handicapped by private air carriers.

"(4) The sections were published by the FAA after a long rule-making process. The FAA published proposed regulations and elicited comment and held hearings on the proposed rules. The sections published as final regulations, however, bore so little similarity to the proposed rules as to nullify the validity of the process leading to their publication. These sections have not been submitted for public comment."

Published with the NFB petition was a summary of a CAMI report entitled "Considerations Relative To The Use Of Canes By Blind Travelers In Air Carrier Cabins". This report was completed in 1979 and reported the results of tests accomplished to reveal some of the safety implications of allowing blind travelers to retain rigid canes at their seats during takeoff and landing. Among the issues considered in establishing the test program were the impact cane retention would have on an emergency evacuation, the relative utility of folding or telescoping canes versus rigid ones, the movement of an unsecured cane during high "g" decelerations and the potential of canes for injuring passengers on damaging evacuation slides.

The CAMI report disclosed, in part, that an evacuation flow rate disruption time of 2.7 seconds was experienced when canes were not present for use by the blind subjects. This evacuation flow delay represents a 1.3 second increase over the average flow delay measured when canes were available for use by blind subjects. The crash tests also showed that the retention of rigid canes at the seat may adversely affect safety by injuring their holder or other passengers. The static tests showed that canes made of plastic, wood, fiberglass, and of solid construction usually splinter when failed whereas thin-walled aluminum canes merely bend and jointed canes split at the joint.

The publication of the NFB petition, the CAMI report summary , and the questions posed by the FAA resulted in the receipt of one hundred and twenty comments from various individuals, organizations affiliated with blind persons and aviation organizations. The majority of commenters did not, however, address that portion of the NFB petition requesting the repeal of § 121.586 governing the air transportation of persons who may need assistance in the event of an emergency evacuation. The vast majority of the commenters addressed the issues raised concerning § 121.589(a). The majority of these commenters expressed the view that blind passengers should be permitted to retain rigid canes at, or in the immediate vicinity of, their seats. Only one commenter voiced a substantive objection to this majority view, and that commenter cited the sufficiency of the CAMI data as supporting the existing stowage requirements. Further, most commenters were against any regulation governing the carriage of canes. All of the commenters that expressed an opinion objected to the prohibition against carrying canes because they believed them to be less dangerous than carrying umbrellas, brief cases, handbags, and in some cases, children. Most of the commenters believed that there are adequate places to store canes near seats. In this regard specific note is made of the comments of the Association of Flight Attendants whose consultant suggested the use of Velcro tape to secure an otherwise unrestrained cane in the vicinity of its owner's seat.

The 1979 CAMI study conclusively shows that the average additional delay encountered in evacuations when canes were used by blind subjects was 1.3 seconds. This figure represents only 1 percent of the present standard 90-second evacuation time. Thus, while there is a technical possibility of some additional small evacuation delay arising from the use of canes by some passengers, given the myriad of variables present in both actual and simulated evacuations, the 1.3 second delay is not a safety hazard of sufficient magnitude so as to require denial of the NFB's petition for rule making concerning § 121.589(a).

The CAMI study also considered the potential of unsecured canes to present possible hazards in a sudden deceleration such as that which would occur in the event of an aircraft crash. CAMI determined that an unsecured cane would pose a substantial hazard in the event of sudden deceleration. However, an appropriately stowed cane, even if readily accessible, would not constitute a safety hazard.

Finally, the CAMI study addressed the possibility of canes damaging an evacuation slide. The physical and engineering data gleaned from the test program demonstrate the existence of such a possibility. However, the uniqueness of every crash situation precludes a prior determination that this is a safety hazard which, in the absence of other data substantiating its nature and probable frequency of occurrence, provides a sufficient basis to deny the NFB's petition for rule making concerning § 121.589(a).

Review of the NFB petition, the public's comments, and the research conducted by CAMI has not established a data base sufficient to substantiate a safety hazard of a magnitude to require denial of that portion of the NFB petition requesting the amendment of § 121.589(a) to permit the stowage of the flexible travel canes in readily accessible locations. The petition is granted to allow the initiation of rule making to permit the readily accessible stowage of flexible travel canes. Undoubtedly a number of hypothetical situations can be postulated in which canes may pose safety hazards of varying degrees, but there is no satsfactory historical experience with such problems, nor do the hypothetical hazards associated with canes—particularly those capable of being constructed in experimental settings—have a sufficiently high probability of occurrence so as to constitute a safety hazard. Further, with appropriate stowage, the special utility that canes have for blind passengers can be preserved while at the same time any conceivable safety hazard posed by their near-seat placement in readily accessible locations can be minimized.

In addition, that portion of the NFB petition that requires the initiation of rule making concerning the amendment of § 121.586 which governs the carriage of persons who may need the assistance of others in the event of an emergency evacuation is granted. Inasmuch as

§ 121.586 was promulgated for the benefit of an airline passenger population that greatly exceeds the potential airline passengers currently represented by the NFB, and since there was virtually no comment from the public on that section when the NFB petition was published, comment will be sought from the public before any action is taken to amend or repeal its protective provisions.

In consideration of the foregoing, I find that the rule making requested by petitioner to be in the public interest. Therefore, in accordance with the provisions of Part 11 of the Federal Aviation Regulations, the petition of the National Federation of the Blind for the initiation of rule making concerning certain sections of Parts 121 and 123 of the Federal Aviation Regulations is, as set forth above, hereby granted.

Issued in Washington, D.C., on January 18, 1980.

Kenneth S. Hunt,

Director of Flight Operations.

[FR Doc. 80-5333 Filed 2-20-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Ch. 1

[Summary Notice No. PR-80-4]

Petitions for Rulemaking; Summary of Petitions Received and Dispositions of Petitions Denied

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for rulemaking and of dispositions of petitions denied.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for rulemaking (14 CFR Part 11), this notice contains a summary of certain petitions requesting the initiation of rulemaking procedures for the amendment of specified provisions of the Federal Aviation Regulations and of denials of certain petitions previously received. The purpose of this notice is to improve the public's awareness of this aspect of FAA's regulatory activities. Publication of this notice and any information it contains or omits is not intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and be received on or before: April 21, 1980.

ADDRESSES: Send comments on the petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket (AGC-24), Petition Docket No. ———, 800 Independence Avenue, SW., Washington, D.C. 20591.

FOR FURTHER INFORMATION: The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-24), Room 916, FAA Headquarters Building (FOB 10A), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 426-3644.

This notice is published pursuant to paragraphs (b) and (f) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, D.C., on February 15, 1980.

Edward P. Faberman,

Acting Assistant Chief Counsel, Regulations and Enforcement Division.

Docket No.	Petitioner	Description of the rule requested
	Petitions for Rulemaking	
19831	Soaring Society of American, Inc.	To amend the airworthiness requirements for the certification of aircraft by proposing that the Joint Airworthiness Requirements (JAR) for sailplanes be adopted as the United Sates requirements for the certification of sailplanes. The current body of Federal Aviation Regulations (FAR) do not contain specific airworthiness criteria for the certification of sailplanes. The JAR has been developed by the civil air authorities of a group of interested European countries.
	Petitions for Rulemaking: Denied	
		None during the period from 2/8/80 through 2/15/80.

[FR Doc. 80-5337 Filed 2-20-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 79-WE-38-AD]

Airworthiness Directives; Piper (Ted Smith) Aerostar Model 600 Airplanes

AGENCY: Federal Aviation Administration (FAA) DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to adopt an airworthiness directive (AD) that would require installation of metal nacelle aft fairing in place of the present fiberglass aft fairing on Piper Aerostar airplanes. The proposed AD is required to prevent the reentry of an engine fire into the underwing structure behind the engine nacelle.

DATES: Comments must be received on or before April 21, 1980.

ADDRESSES: Send comments on the proposal to: Department of Transportation, Federal Aviation Administration, Western Region, Attention: Regional Counsel, Airworthiness Rule Docket, P.O. Box 92007, Worldway Postal Center, Los Angeles, California 90009.

The applicable service information may be obtained from: Piper Aerostar, Customer Service Department, 2560 Skyway Drive, Santa Maria, California 93454.

FOR FURTHER INFORMATION CONTACT: Jerry Presba, Executive Secretary; Airworthiness Directive Review Board, Federal Aviation Administration, Western Region, P.O. Box 92007, World Way Postal Center, Los Angeles, California 90009. (213) 536-6351.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Interested persons are also invited to comment on the economic, environmental and energy impact that might result because of adoption of the proposed rule. Communications should identify the regulatory docket number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact, concerned with the substance of the proposed AD, will be filed in the Rules Docket.

FAA review of the service experience indicates that five cases of in-flight engine nacelle fires have been encountered on Piper Aerostar Model 600 airplanes. Investigation of these incidents reveals that the fiberglass fairing under the wing and aft of the engine nacelle does not provide adequate underwing fire protection.

Since this condition is likely to exist or develop on other airplanes of the same type design, the proposed AD would require the replacement of the present fiberglass nacelle aft fairing with a metal nacelle aft fairing on Piper Aerostar Model 600 series airplanes.

Proposed Amendment

Accordingly, the Federal Aviation Administration proposed to amend Section 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) by adding the following new Airworthiness Directive:

Piper, (Ted Smith): Applies to Aerostar Model 600, 601, 601P airplanes certificated in all categories:

Compliance required as indicated, unless already accomplished.

To prevent the reentry of an engine fire into the underwing structure behind the engine nacelle, accomplish the following:

(a) Within the next 300 hours' time in service, or ninety days after the effective date of this AD, whichever occurs sooner, install a metal fairing, P/N 230090-1 and -2, in place of the existing fiberglass fairing, P/N 230023-501 and 502, in accordance with Piper Service Bulletin SB 600-83, dated November 21, 1979.

(b) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of this AD.

(c) Alternative inspections, modifications or other actions which provide an equivalent level of safety may be used when approved by the Chief, Aircraft Engineering Division, FAA Western Region.

[Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.85)

Note.—The Federal Aviation Administration has determined that this document is not significant in accordance with the criteria required by Executive Order 12044 and set forth in Department of Transportation Guidelines.

Issued in Los Angeles, California on February 6, 1980.

W. R. Frehse,

Acting Director, FAA Western Region.

[FR Doc. 80-5204 Filed 2-20-80; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 39

(Docket No. 79-NE-18)

Airworthiness Directives; Pratt & Whitney Aircraft JT8D -1, -1A, -1B, -7, -7A, and -7B Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Extension of public comment period.

SUMMARY: This action extends the closing date for the submission of comments on Docket No. 79-NE-18 to March 12, 1980. The original closing date of February 12, 1980, provided insufficient time for interested parties to gather and submit data in support of their comments on the proposed airworthiness directive (AD).

DATES: Comments must now be received on or before March 12, 1980.

ADDRESSES: Send comments on the proposal in duplicate to: Federal Aviation Administration, Office of the Regional Counsel, New England Region, Attn: Rules Docket No. 79-NE-18, 12 New England Executive Park, Burlington, Massachusetts 08103.

FOR FURTHER INFORMATION CONTACT: Jay Pardee, (617) 273-7347.

SUPPLEMENTARY INFORMATION: A notice of proposed rule making (NPRM) proposing to adopt an AD requiring a visual and ultrasonic inspection of second stage fan blades to detect cracks and surface damage at the base of the attachment strap and inner diameter of the strap pinholes on JT8D-1, -1A, -1B, -7, -7A, and -7B turbofan engines by July 1, 1981, was published in the **Federal Register** on December 13, 1979 (44 FR 72181). The closing date for the submission of comments by interested parties was February 12, 1980.

On February 6, 1980, the Air Transport Association of America, on behalf of ATA member JT8D operators, filed a petition for extension of the comment period to March 12, 1980. According to the petition: Due to the complexity of the proposed AD, the airlines need additional time to prepare final comments on Docket No. 79-NE-18.

The FAA believes the extension of the closing date for the submission of comments on the proposed AD would be in the public interest, and would not adversely affect air safety. Such an extension, to March 12, 1980, would permit interested parties to assemble and prepare meaningful data in support of their respective positions. It will not adversely affect air safety as this extension has no effect on the proposed compliance date.

Extension of Comment Period

Accordingly, pursuant to the authority delegated to me by the Administrator, the closing date for the submission of comments on Docket No. 79-NE-18 is hereby extended from February 12, 1980, to March 12, 1980.

(Secs. 313(a), and 603, Federal Aviation Act of 1958, as amended, (49 U.S.C. 1354(a), 1421, and 1423); Section 6(c), Department of Transportation Act (49 U.S.C. 1655(c); 14 CFR 11.85)

Note.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular 107.

Issued in Burlington, Massachusetts, on February 11, 1980.

Robert E. Whittington

Director, New England Region.

[FR Doc. 80-5205 Filed 2-20-80; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 79-CE-36]

Transition Area—Cabool, Mo.; Proposed Designation

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Rule Making (NPRM).

SUMMARY: This Notice proposes to designate a 700-foot transition area at Cabool, Missouri, to provide controlled airspace for aircraft executing a new instrument approach procedure to the Cabool Memorial Airport, Cabool, Missouri, which is based on a Non-Directional Radio Beacon (NDB) a navigational aid being installed on the airport by the City of Cabool, Missouri.

DATES: Comments must be received on or before March 26, 1980.

ADDRESSES: Send comments on the proposal to: Federal Aviation Administration, Chief, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-530, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374-3408.

The official docket may be examined at the Office of the Regional Counsel, Central Region, Federal Aviation Administration, Room 1558, 601 East 12th Street, Kansas City, Missouri.

An informal docket may be examined at the Office of the Chief, Operations, Procedures and Airspace Branch, Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Dwaine E. Hiland, Airpace Specialist, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-537, FAA, Central Region, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374-3408.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number, and be submitted in duplicate to the Operations, Procedures and

Airspace Branch, Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106. All communications received on or before March 26, 1980, will be considered before action is taken on the proposed amendment. The proposal contained in this Notice may be changed in light of the comments received. All comments received will be available both before and after the closing date for comments in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Operations, Procedures and Airspace Branch, 601 East 12th Street, Kansas City, Missouri 64106 or by calling (816) 374–3408. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for further NPRMs should also request a copy of Advisory Circular No. 11–2 which describes the application procedure.

The Proposal

The FAA is considering an amendment to Subpart G, Section 71.181 of the Federal Aviation Regulations (14 CFR Section 71.181) by designating a 700-foot transition area at Cabool, Missouri. To enhance airport usage by providing instrument approach capability to the Cabool Memorial Airport, the City of Cabool, Missouri, is installing a Non-Directional Radio Beacon (NDB) on the airport. This radio facility will provide new navigational guidance for aircraft utilizing the airport. The establishment of a new instrument approach procedure based on this navigational aid entails designation of a transition area at Cabool, Missouri, at and above 700 feet above ground level (AGL) within which aircraft are provided air traffic control service. The intended effect of this action is to ensure segregation of aircraft using the approach procedure under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR). Accordingly, Federal Aviation Administration proposes to amend Subpart G, Section 71.181 of the Federal Aviation Regulations (14 CFR 71.181) as republished on January 2, 1980 (45 FR 445) by adding the following new transition area:

Cabool, Mo.

That airspace extending upwards from 700 feet above the surface within a 5-mile radius of the Cabool Municipal Airport (latitude 37°07′59″N; longitude 92°05′00″W), and within 3 miles each side of the NDB 032° bearing extending from the 5-mile radius area to 8.5 miles NE of the NDB, and within 3 miles each side of the NDB 209° bearing; extending from the 5-mile radius area to 8.5 miles SW of the NDB, and within 3 miles each side of the Maples, Missouri VORTAC R205°, extending from the 5-mile radius area to 6.5 miles NE of the Cabool Municipal Airport.

(Sec. 307(a), Federal Aviation Act of 1958 as amended (49 U.S.C. 1348); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Sec. 11.65 of the Federal Aviation Regulations (14 CFR 11.65).)

Note.—The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Kansas City, Missouri, on February 8, 1980.

Paul J. Baker,

Director, Central Region.

[FR Doc. 80-5195 Filed 2-20-80; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 79-CE-39]

Transition Area—Oelwein, Iowa; Proposed Alteration

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This Notice proposes to alter the 700-foot transition area at Olewein, Iowa, to provide additional controlled airspace for aircraft executing a new instrument approach procedure to the Olewein, Iowa Municipal Airport utilizing the Waterloo, Iowa OMNI Directional Range as a navigational aid.

DATES: Comments must be received on or before March 26, 1980.

ADDRESSES: Send comments on the proposal to: Federal Aviation Administration, Chief, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE–530, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374–3408.

The official docket may be examined at the Office of the Regional Counsel, Central Region, Federal Aviation Administration, Room 1558, 601 East 12th Street, Kansas City, Missouri.

An informal docket may be examined at the Office of the Chief, Operations, Procedures and Airspace Branch, Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Dwaine E. Hiland, Airspace Specialist, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE–537, FAA, Central Region, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374–3408.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number, and be submitted in duplicate to the Operations, Procedures and Airspace Branch, Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106. All communications received on or before March 26, 1980 will be considered before action is taken on the proposed amendment. The proposal contained in this Notice may be changed in light of the comments received. All comments received will be available both before and after the closing date for comments in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Operations, Procedures and Airspace Branch, 601 East 12th Street, Kansas City, Missouri 64106 or by calling (816) 374–3408. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for further NPRMs should also request a copy of Advisory Circular No. 11–2 which describes the application procedure.

The Proposal

The FAA is considering an amendment to Subpart G, Section 71.181 of the Federal Aviation Regulations (14 CFR Section 71.181) by altering the 700-foot transition area at Oelwein, Iowa. To enhance airport usage, an additional instrument approach procedure to the Oelwein, Iowa Municipal Airport is being established utilizing the Waterloo, Iowa OMNI Directional Range as a navigational aid. The establishment of a instrument approach procedure based on this facility entails alteration of the transition area at and above 700 feet above ground level (AGL) within which aircraft will be provided additional controlled airspace protection. The intended effect of this action is to ensure segregation of aircraft using the new approach procedure under Instrument Flight Rules (IFR) and other aircraft

operating under Visual Flight Rules (VFR).

Accordingly, Federal Aviation Administration proposes to amend Subpart G, Section 71.181 of the Federal Aviation Regulations (14 CFR 71.181) as republished on January 2, 1980, (45 FR 445) by altering the following transition area:

Oelwein, Iowa

That airspace extending upward from 700 feet above the surface within a 9 mile radius of the Oelwein Municipal Airport (latitude 42°41'04" N, longitude 91°58'42" W) and within 4 miles each side of the 304° bearing from the airport extending from the 9 mile radius to 12 miles northwest of the airport.

(Sec. 307(a), Federal Aviation Act of 1958 as amended (49 U.S.C. 1348); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Sec. 11.65 of the Federal Aviation Regulations (14 CFR 11.65))

Note.—The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Kansas City, Missouri, on February 8, 1980.

Paul J. Baker,

Director, Central Region.

[FR Doc. 80-5197 Filed 2-20-80; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 79-CE-18]

Transition Area—Herington, Kans.; Proposed Designation

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Rule Making (NPRM).

SUMMARY: This Notice proposes to designate a 700-foot transition area at Herington, Kansas, to provide controlled airspace for aircraft executing a new instrument approach procedure to the Herington Municipal Airport, Herington, Kansas, which is based on a Non-Directional Radio Beacon (NDB), a navigational aid being installed on the airport by the City of Herington, Kansas.

DATES: Comments must be received on or before March 26, 1980.

ADDRESSES: Send comments on the proposal to: Federal Aviation Administration, Chief, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-530, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374-3408.

The official docket may be examined at the Office of the Regional Counsel, Central Region, Federal Aviation Administration, Room 1558, 601 East 12th Street, Kansas City, Missouri.

An informal docket may be examined at the Office of the Chief, Operations, Procedures and Airspace Branch, Air Traffic Division.

FOR FURTHER INFORMATION CONTRACT: Benny J. Kirk, Airspace Specialist, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-538, FAA, Central Region, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374-3408.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number, and be submitted in duplicate to the Operations, Procedures and Airspace Branch, Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106. All communications received on or before March 26, 1980 will be considered before action is taken on the proposed amendment. The proposal contained in this Notice may be changed in light of the comments received. All comments received will be available both before and after the closing date for comments in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Operations, Procedures and Airspace Branch, 601 East 12th Street, Kansas City, Missouri 64106 or by calling (816) 374-3408. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for further NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedure.

The Proposal

The FAA is considering an amendment to Subpart G, § 71.181 of the Federal Aviation Regulations (14 CFR 71.181) by designating a 700-foot transition area at Herington, Kansas. To enhance airport usage by providing instrument approach capability to the Herington Municipal Airport, the City of Herington, Kansas, is installing a Non-Directional Radio Beacon (NDB) on the airport. This radio facility will provide new navigational guidance for aircraft utilizing the airport. The establishment of a new instrument approach procedure based on this navigational aid entails designation of a transition area at Herington, Kansas, at and above 700 feet above ground level (AGL) within which aircraft are provided air traffic control service. The intended effect of this action is to ensure segregation of aircraft using the approach procedure under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR).

Accordingly, Federal Aviation Administration proposes to amend Subpart G, § 71.181 of the Federal Aviation Regulations (14 CFR 71.181) as republished on January 2, 1980, (45 FR 445) by adding the following new transition area:

Herington, Kansas

That airspace extending upwards from 700 feet above the surface within a 6.5-mile radius of the Herington Municipal Airport (latitude 38°41'55" N; longitude 96°48'27" W), and within 3 miles each side of the NDB facility 011° T bearing extending from the 6.5-mile radius area to 8.5 miles NE of the NDB, and within 3 miles each side of the NDB facility 168° T bearing; extending from the 6.5-mile radius area to 8.5 miles SE of the NDB.

(Sec. 307(a), Federal Aviation Act of 1958 as amended (49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Sec. 11.65 of the Federal Aviation Regulations (14 CFR 11.65))

Note.—The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Kansas City, Missouri, on February 11, 1980.

Paul J. Baker,

Director, Central Region.

[FR Doc. 80-5336 Filed 2-20-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 80-CE-4]

Transition Area—Wellington, Kans.; Proposed Designation

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Rule Making (NPRM).

SUMMARY: This Notice proposes to designate a 700-foot transition area at Wellington, Kansas, to provide controlled airspace for aircraft executing a new instrument approach procedure to the Wellington Municipal Airport, Wellington, Kansas, which is based on a Non-Directional Radio Beacon (NDB), a navigational aid installed on the airport by the City of Wellington, Kansas.

DATES: Comments must be received on or before March 26, 1980.

ADDRESSES: Send comments on the proposal to: Federal Aviation Administration, Chief, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-530, 601 East 12th Street, Kansas City, Missouri, Telephone (816) 374-3408.

The official docket may be examined at the Office of the Regional Counsel, Central Region, Federal Aviation Administration, Room 1558, 601 East 12th Street, Kansas City, Missouri.

An informal docket may be examined at the Office of the Chief, Operations, Procedures and Airspace Branch, Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Benny J. Kirk, Airspace Specialist, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-538, FAA, Central Region, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374-3408.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number, and be submitted in duplicate to the Operations, Procedures and Airspace Branch, Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106. All communications received on or before March 26, 1980, will be considered before action is taken on the proposed amendment. The proposal contained in this Notice may be changed in light of the comments received. All comments received will be available both before and after the closing date for comments in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Operations, Procedures and Airspace Branch, 601 East 12th Street, Kansas City, Missouri 64106 or by calling (816) 374-3408. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for further NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedure.

The Proposal

The FAA is considering an amendment to Subpart G, § 71.181 of the Federal Aviation Regulations (14 CFR 71.181) by designating a 700-foot transition area at Wellington, Kansas. To enhance airport usage by providing instrument approach capability to the Wellington Municipal Airport, the City of Wellington, Kansas, is installing a Non-Directional Radio Beacon (NDB) on the airport. This radio facility will provide new navigational guidance for aircraft utilizing the airport. The establishment of a new instrument approach procedure based on this navigational aid entails designation of a transition area at Wellington, Kansas, at and above 700 feet above ground level (AGL) within which aircraft are provided air traffic control service. The intended effect of this action is to ensure segregation of aircraft using the approach procedure under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR).

Accordingly, Federal Aviation Administration proposes to amend Subpart G, § 71.181 of the Federal Aviation Regulations (14 CFR 71.181) as republished on January 2, 1980, (45 FR 445) by adding the following new transition area:

Wellington, Kansas

That airspace extending upwards from 700 feet above the surface within a 5-mile radius of the Wellington Municipal Airport (Latitude 37°19'24" N; Longitude 97°23'15" W), and within 3 miles each side of the NDB facility 017°T bearing extending from the 5-mile radius area to 8.5 miles NE of the NDB, excluding that portion which overlaps the Wichita, Kansas transition area.

(Sec. 307(a), Federal Aviation Act of 1958 as amended (49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); sec. 11.65 of the Federal Aviation Regulations (14 CFR 11.65))

Note.—The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, an implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Kansas City, Missouri, on February 8, 1980.

Paul J. Baker,

Director, Central Region.

[FR Doc. 80-5335 Filed 2-20-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 93

[Docket No. 13817; Notice No. 76-5]

Nellis AFB Special Air Traffic Rule; Withdrawal of NPRM

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Withdrawal of notice of proposed rule making.

SUMMARY: This notice withdraws Notice No. 76-5 published in the **Federal Register** on March 4, 1976 (41 FR 9372) that proposed to establish special air traffic rules for operating areas that would be established adjacent to Nellis Air Force Base (AFB) and Energy Research and Development Administration (ERDA) restricted areas located generally north of Las Vegas, Nev. The proposed using agency (Department of the Air Force) has determined that they are unable to provide the radio and radar coverage of the area as required by the proposal.

EFFECTIVE DATE: February 21, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. Wray McClung, Airspace Regulations Branch (AAT-230), Airspace and Air Traffice Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-8488.

SUPPLEMENTARY INFORMATION: On March 4, 1976, the FAA published for comment a proposal to amend Part 93 of the Federal Aviation Regulations (14 CFR Part 93) to establish special air traffic rules for operating areas that would be established adjacent to Nellis AFB and Energy Research and Development Administration (ERDA) restricted areas located generally north of Las Vegas, Nev. (41 FR 9372).

A prerequisite for implementation of this proposal was for the proposed using

agency (Department of the Air Force) to provide sufficient radar surveillance and communications capability to insure complete separation of aircraft operating within these areas. However, the Department of the Air Force has now determined that they are unable to fulfill this requirement at this time. For this reason, this notice is withdrawn. The withdrawal of this notice does not preclude the future issuance of a similar notice by the FAA.

Withdrawal of the Proposal

Accordingly, pursuant to the authority delegated to me by the Administrator, Docket No. 13817; Notice No. 76-5, Notice of Proposed Rule Making (41 FR 9372) and amended (41 FR 19127 and 35073), is hereby withdrawn.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.65.)

The FAA has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Washington, D.C., on February 12, 1980.

R.J. Van Vuren,

Acting Director, Air Traffic Service.

[FR Doc. 80-5194 Filed 2-20-80; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Parts 93 and 159

[Dockets Nos. 19948 and 19950]

Public Hearings on Proposed Metropolitan Washington Airports Policy and Regulations

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of public hearings:

SUMMARY: The purpose of the hearings is to provide a further opportunity to the interested public to comment on the proposed policy and regulations and to better enable the FAA to obtain the views of the air carrier industry and the communities that may be affected. The FAA will consider the comments and views in determining how to proceed with the policy proposals.

DATES: Hearings will be held March 20 and 27 and March 25, 1980.

ADDRESSES: March 20 and 27 at the Key Bridge Marriott Hotel, 1401 Lee Highway, Rosslyn, Virginia. Hearings will convene at 7:30 p.m.

March 25 at the Dulles Marriott Hotel, Dulles International Airport. Hearing will convene at 7 p.m.

FOR FURTHER INFORMATION CONTACT: either Charles Erhard or David Hess, Office of the Director, Metropolitan Washington Airports, Hangar 9, Washington National Airport, Washington, D.C. 20001. Telephone: Charles Erhard (703) 557-0972, David Hess (703) 577-1155.

SUPPLEMENTARY INFORMATION: On January 15, 1980, the DOT/FAA issued a Notice of Proposed Policy and Notice of Proposed Rulemaking relating to the operation and development of Washington National and Dulles International Airports and to abate aircraft noise in the communities near National Airport. (45 FR 4314, January 21, 1980) It is proposed that Dulles International Airport shall continue to serve all types of air transportation needs and that its facilities be improved and expanded as needed to fulfill that role. At National, FAA proposes that the future growth of aviation activity be controlled and that measures be taken to assure that no more than 18 million annual passengers use the airport in future years. FAA proposes to reduce hourly certificated air carrier scheduled operations at National from the present 40 to 36. This would immediately slow down the rate of growth in passenger activity at the airport and make available additional operating positions for commuter air carriers. A reduction in the number of operating slots reserved for general aviation from 12 to 9, with three additional slots to be made available to commuter air carriers, is also under consideration.

FAA proposes to adjust the hours of operation of Washington National Airport. The certificated and commuter air carriers will not be permitted to schedule operations after 9:30 p.m. It is proposed that a curfew be established which will close the airport to all traffic, except in emergencies, after 10:30 p.m. and before 7 a.m. These measures will reduce potential certificated air carrier operations at National by 118, an 18.6 percent reduction. Also, it is proposed to allow two- and three-engine widebody aircraft to use National Airport subject to a determination by the airport management that the operation is compatible with airport facilities. In addition, consideration is being given to formally adopting a perimeter rule which limits the distance of nonstop flights to and from National Airport. Either the existing informal 650-mile perimeter with continuing exceptions for seven cities beyond 650 miles will be maintained or the perimeter will be redefined as 1000 miles, which is approximately the distance to the furthest city now permitted nonstop service under the exceptions to the current practice. Adoption of this latter proposal would eliminate the potentially discriminatory treatment of closer-in cities. National Airport's role as that of a "medium" and "short-haul" airport would be maintained in either case.

Environmental Impact Statement

A supplement to the FAA Draft Environmental Impact Statement issued in March 1978 has been prepared. The Statement contains FAA's assessment of the probable impact of the proposed policy and a comparison of the impacts from the principal alternatives. The Environmental Impact Statement has been distributed to area public libraries. A limited number will be available for review at the hearings.

These hearings have been scheduled to assist the FAA in obtaining the views of the interested public, particularly those in the aviation industry or those who are residents in neighboring communities who may be affected by the proposals. It is likely that the information presented at the hearings will assist the FAA in determining how to proceed with the proposed policy. The public comment period closes on April 15, 1980. All comments received by that date will be considered.

Persons planning to speak should request that their names be placed on the agenda for one of the hearings by sending a letter to: Metropolitan Washington Airports, Environmental Policy Section, Hangar 9, Washington National Airport, Washington, D.C. 20001.

Each speaker will be allotted five minutes. Written comments will also be accepted at the hearings.

Issued in Washington, D.C., on February 15, 1980.

James A. Wilding,

Director, Metropolitan Washington Airports.

[FR Doc. 80-5365 Filed 2-20-80; 8:45 am]

BILLING CODE 4910-13-M

INTERNATIONAL TRADE COMMISSION

19 CFR Part 200

Employee Responsibilities and Conduct

AGENCY: United States International Trade Commission.

ACTION: Notice of proposed rules.

SUMMARY: This notice proposes procedures for administrative enforcement of the restrictions on postemployment activity established by title V of the Ethics in Government Act of 1978, Pub. L. No. 95–521, 92 Stat. 1864 (18 U.S.C. 207) (as amended by Pub. L. No. 96–28, 93 Stat. 76 (1979)) with respect to former employees of the United States International Trade Commission.

DATE: Comments must be received on or before March 24, 1980.

ADDRESS: Interested persons may submit comments in writing to the Secretary to the Commission, 701 E Street NW., Washington, D.C. 20436.

FOR FURTHER INFORMATION CONTACT: The Honorable Bill Alberger, Counselor for Employee Responsibilities and Conduct, or Michael B. Jennison, Esq., Acting Deputy Counselor, United States International Trade Commission, 701 E Street, NW., Washington, D.C. 20436, telephone 202–523–0133, or 202–523–0189, respectively.

SUPPLEMENTARY INFORMATION: On October 26, 1978, Congress enacted the Ethics in Government Act of 1978. Title V of the act amended 18 U.S.C. 207, which restricts postemployment conflicts of interest. Congress further amended 18 U.S.C. 207 on June 22, 1979, with passage of Pub. L. No. 96–28, 93 Stat. 76. Subsection 207(j) of title V provides for administrative sanctions to be applied by an agency to a former officer or employee found to have violated subsections 207 (a), (b), or (c). Agencies are required, in consultation with the Director of the Office of Government Ethics, to establish procedures to carry out subsection 207(j).

These regulations establish procedures for handling allegations of a violation of subsections (a), (b), or (c), affording the affected former officer or employee notice and opportunity for a hearing, and applying an administrative sanction if a violation is found.

It is proposed that title 19, part 200, of the Code of Federal Regulations be amended by the addition of a new subpart D, to be composed of §§ 200.735–124 through 126, as follows:

* * * * *

Subpart D—Provisions for Administrative Enforcement of Postemployment Conflict of Interest Restrictions

Sec.
200.735–124. General.
200.735–125. Exemption from restrictions.
200.735–126. Administrative enforcement proceedings.

Authority: Ethics in Government Act of 1978, Pub. L. No. 95–521, 92 Stat. 1864 (18 U.S.C. 207) (as amended by Pub. L. No. 96–28, 93 Stat. 76 (1979)); 45 FR 7402, (1979) (to be codified at 5 CFR Part 737).

Subpart D—Provisions for Administrative Enforcement of Postemployment Conflict of Interest Restrictions

§ 200.735–124. General.

The procedures in this subpart are established pursuant to subsection 207(j) of title 18, United States Code, for the administrative enforcement of the restrictions on postemployment activities in title V of the Ethics in Government Act of 1978 (18 U.S.C. 207 (a), (b), and (c)) and implementing regulations published by the Office of Government Ethics (5 CFR part 737). Subsections 207 (a), (b), and (c) of title 18, United States Code, prohibit certain forms of representational activity or communications by former Commission employees.

§ 200.735–125. Exemption from restrictions.

(a) *Scientific and technological information solicited by the Commission.* Communications of a former Commission employee solely for the purpose of furnishing scientific or technological information solicited by the Commission in the course of its statutory investigations are exempted from the restrictions on postemployment practices.

(b) *Exemption for persons with special qualifications in a technical discipline.*

(1) *Applicability.* A former Commission employee may be exempted from the restrictions on postemployment practices if the Chairman, in consultation with the Director, Office of Government Ethics (the Director), executes a certification published in the **Federal Register** that the former Commission employee has outstanding qualifications in a scientific, technological, or other technical discipline; that the former Commission employee is acting with respect to a particular matter which requires such qualifications; and that the national interest would be served by the former Commission employee's participation.

(2) *Certification authority.* Certification shall be by the Chairman, or in the absence thereof, by the acting head of the Commission. Consultation with the Director shall precede any certification. The exemption is effective upon the execution of the certification. The Secretary shall immediately transmit the certification to the **Federal Register** for publication.

(c) *Testimony and statement under oath or subject to penalty of perjury.*

(1) Applicability. A former Commission employee may testify before any court, board, commission, or legislative body with respect to matters of fact within the personal knowledge of the former Commission employee. This provision does not, however, allow a former Commission employee, otherwise barred under 18 U.S.C. 207 (a), (b), or (c), to testify on behalf of another as an expert witness except (i) to the extent that the former employee may testify from personal knowledge as to occurrences which are relevant to the issues in the proceeding, including those in which the Commission employee participated, utilizing his or her expertise, or (ii) in any proceeding where it is determined that another expert in the field cannot practically be obtained, that it is impracticable for the facts or opinions on the same subject to be obtained by other means, and that the former Commission employee's testimony is required in the interest of justice.

(2) Statements under penalty of perjury. A former Commission employee may make any statement required to be made under penalty of perjury, such as those required in registration statements for securities, tax returns, or security clearances. The exception does not, however, permit a former employee to submit pleadings, applications, or other documents in a representational capacity on behalf of another merely because the attorney or other representative must sign the documents under oath or penalty of perjury.

§ 200.735–126 Administrative enforcement proceedings.

The following are basic guidelines for administrative enforcement of restrictions on postemployment activities:

(a) *Initiation of administrative disciplinary hearing.*

(1) On receipt of information regarding a possible violation of 18 U.S.C. 207, and after determining that such information does not appear to be frivolous, the Chairman shall expeditiously provide such information, along with any

comments or agency regulations, to the Director and to the Criminal Division, Department of Justice. Any investigation or administrative action will be coordinated with the Department of Justice to avoid prejudicing criminal proceedings, unless the Department of Justice informs the Commission that it does not intend to initiate criminal prosecution.

(2) Whenever the Chairman has determined after appropriate review that there is reasonable cause to believe that a former Commission employee has violated 18 U.S.C. 207 (a), (b), or (c) or implementing regulations of the Office of Government Ethics (5 CFR Part 737), he or she shall initiate an administrative disciplinary proceeding by providing the former Commission employee with notice as defined in subsection (b).

(3) The Chairman shall take all necessary steps to protect the privacy of former employees prior to a determination of sufficient cause to initiate an administrative disciplinary hearing.

(b) *Notice.*

(1) The Chairman shall provide the former Commission employee with notice of an administrative disciplinary proceeding and an opportunity for a hearing.

(2) Notice to the former Commission employee must include—

(i) A statement of allegations and the basis thereof in detail sufficient to enable the former Commission employee to prepare an adequate defense;

(ii) Notification of the right to a hearing;

(iii) An explanation of the method by which a hearing may be requested; and

(iv) A copy of this subpart.

(c) *Examiner.*

(1) The presiding official at proceedings under this subpart shall be an individual to whom the Chairman has delegated authority to make a recommended determination (hereinafter referred to as examiner).

(2) An examiner shall be an experienced government attorney of high moral character and sound judgment.

(3) An examiner shall be impartial. No individual who has participated in any manner in the decision to initiate the proceedings may serve as an examiner in those proceedings.

(d) *Scheduling of hearing.*

In setting a hearing date, the examiner shall give due regard to the former Commission employee's need for—

(1) Adequate time to prepare a defense properly, and

(2) An expeditious resolution of allegations that may be damaging to his or her reputation.

(e) *Hearing rights.* A hearing shall include, at a minimum, the following rights:

(1) To be represented by counsel,

(2) To introduce and examine witnesses and to submit physical evidence,

(3) To confront and cross-examine adverse witnesses,

(4) To present oral argument; and

(5) To obtain a transcript or recording of the proceeding on request.

(f) *Burden of proof.* In any hearing under this subpart the Commission has the burden of proof and must establish a violation by clear and convincing evidence. The case of the Commission shall be presented by the Office of the General Counsel.

(g) *Recommended determination.*

(1) The examiner shall make a recommended determination exclusively on matters of record in the proceeding and shall set forth therein all findings of fact and conclusions of law relevant to the matters at issue. The recommended determination shall be delivered to the parties.

(2) Within ten (10) days of the date of receipt of the recommended determination either party may submit to the Chairman exceptions to the recommended determination and alternative findings of fact and conclusions of law.

(h) *Final administrative decision.*

(1) Within forty (40) days of the date of the recommended determination, the Chairman shall make final administrative decision based solely on the record of the proceedings.

(2) In the event that no hearing is requested, the Chairman shall make a final administrative decision within forty (40) days of the date notice is provided to the former employee and the record of the proceedings shall consist of the statement of allegations as defined in subsection (b)(2)(i) and whatever written response the former employee shall provide.

(3) The Chairman shall specify in the final administrative decision the findings of fact and conclusions of law that differ from the recommended determination of the hearing examiner.

(i) *Administrative sanctions.* The Chairman may take appropriate action in the case of any individual who is found in violation of 18 U.S.C. 207 (a), (b), or (c) or implementing regulations of the Office of Government Ethics (5 CFR part 737) after a final administrative decision by—

(1) Prohibiting the individual from making, on behalf of any other person (except the United States), any formal or informal appearance before, or, with the intent to influence, any oral or written communication to, the Commission on any matter of business for a period not to exceed five (5) years. This prohibition may be enforced by directing Commission employees to refuse to participate in any such appearance or to accept any such communication;

(2) Taking other appropriate disciplinary action.

(j) *Judicial review.* Any person found to have participated in a violation of 18 U.S.C. 207 (a), (b), or (c) or these regulations may seek judicial review of the administrative determination. Review shall be before the appropriate United States district court.

Issued: February 15, 1980.

By order of the Commission.

Kenneth R. Mason,

Secretary.

[FR Doc. 80-5416 Filed 2-20-80; 8:45 am]

BILLING CODE 7020-02-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Housing—Federal Housing Commissioner

24 CFR Part 885

[Docket No. R-80-758]

Section 202 Loans for Housing for the Elderly or Handicapped

Correction

In FR Doc. 80-4577, appearing on page 9748, in the issue of Wednesday, February 13, 1980, make the following correction:

On page 9749, first column, after the second line the date and signature should have appeared above the file line as follows:

"Issued at Washington, D.C., December 21, 1979.

Lawrence B. Simons,

Assistant Secretary for Housing—Federal Housing Commissioner."

BILLING CODE 1505-01-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 301

Procedure and Administration: Disclosure or Use of Information by Preparers of Returns

AGENCY: Internal Revenue Service, Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document contains proposed regulations under section 7216 of the Internal Revenue Code of 1954, relating to disclosure of tax return information by tax return preparers. The regulations affect tax return preparers and provide them with the guidance needed to comply with the law.

DATES: The amendments are proposed to be effective on January 1, 1972. Written comments and requests for a public hearing must be delivered or mailed by April 21, 1980.

ADDRESS: Send comments and requests for a public hearing to: Commissioner of Internal Revenue, Attention: CC:LR:T (LR-251-79), Washington, D.C. 20224.

FOR FURTHER INFORMATION CONTACT: Catherine Kelly Bouknight of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, D,C, 20224, Attention: CC:LR:T, 202-566-3289, not a toll-free call.

SUPPLEMENTARY INFORMATION:

Explanation of Provisions

Section 7216(a) provides that a tax return preparer who discloses or uses any tax return information other than for the specific purpose of preparing, or assisting in the preparation of, any tax return of the taxpayer by or for whom the information was made available to the tax return preparer shall guilty of a misdemeanor. Section 7216(b) provides exceptions to the general rule and subparagraph (3) thereof provides that section 7216(a) shall not apply to a disclosure or use of tax return information which is permitted by regulations.

A Treasury decision containing amendments to § 301.7216-2 is being issued contemporaneously with this notice of proposed rulemaking. The amendments contained in the Treasury decision were initially published in the **Federal Register** for December 12, 1974 (39 FR 43312) in the appendix to a notice of proposed rulemaking. These amendments expand the list of disclosures or uses of tax return information which can be made without violating section 7216(a) and § 301.7216-1. This notice of proposed rulemaking contains additional proposed amendments to § 301.7216-2.

Under existing § 301.7216-2(c)(2), disclosure of tax return information is excepted from the provisions of section 7216(a) and § 301.7216-1 if made pursuant to an administrative order, demand, summons or subpoena issued by any Federal regulatory agency in the performance of its duties which clearly identifies the information to be disclosed. An amendment is proposed to § 301.7216-2(c)(2) to extend this exception to such disclosure to any Federal agency or to a State agency, body or commission charged under the laws of the State or a political subdivision of the State with licensing, registration, or regulation of tax return preparers.

Present § 301.7216-2(n) excepts from the provisions of section 7216(a) and § 301.7216-1 disclosure of any tax return information to "the proper Federal or State official" in order, and the extent necessary, to inform such official of activities which may constitute, or may have constituted, a violation of Federal or State criminal laws. The proposed amendment would extend this exception to "the proper Federal, State or local official to inform the official of activities which may constitute, or may have constituted, a violation of any criminal law."

Comments and Requests for a Public Hearing

Before adopting these proposed regulations, consideration will be given to any written comments that are submitted (preferably six copies) to the Commissioner of Internal Revenue. All comments will be available for public inspection and copying. A public hearing will be held upon written request to the Commissioner by any person who has submitted written comments. If a public hearing is held, notice of the time and place will be published in the **Federal Register.**

Drafting Information

The principal author of these regulations is Catherine Kelly Bouknight of the Legislation and Regulations Division of the Office of Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing the regulation, both on matters of substance and style.

Proposed Amendments to the Regulations

The Regulations on Procedure and Administration (26 CFR Part 301) are proposed to be amended by revising § 301.7216-2 (c) and (n), to read as follows:

§ 301.7216-2 Disclosure or use without formal consent of the taxpayer.

* * * * *

(c) *Disclosure pursuant to an order of a court or of a Federal or State agency.* The provisions of section 7216(a) and § 301.7216-1 do not apply to any disclosure of tax return information if such disclosure is made pursuant to any one of the following documents:

(1) The order of any court of record, Federal, State, or local, or

(2) An administrative order, demand, summons, or subpoena which is issued in the performance of its duties by—

(i) Any Federal agency, or

(ii) A State agency, body, or commission charged under the laws of the State or a political subdivision of the State with the licensing, registration, or regulation of tax return preparers.

Information must be clearly identified in the document in order to be disclosed under this paragraph (c).

* * * * *

(n) *Disclosure to report the commission of a crime.* The provisions of section 7216(a) and § 301.7216-1 do not apply to the disclosure of any tax return information to the proper Federal, State or local official in order, and to the extent necessary, to inform the official of activities which may constitute, or may have constituted, a violation of any criminal law. In addition, such a disclosure made in the bona fide but mistaken belief that the activities constituted a violation of criminal law is not subject to section 7216(a) and § 301.7216-1.

Jerome Kurtz,

Commissioner of Internal Revenue.

[FR Doc. 80-5361 Filed 2-20-80; 8:45 am]

BILLING CODE 4830-01-M

FEDERAL MARITIME COMMISSION

46 CFR Part 525

[Docket No. 78-11]

Exemption of Certain Collective Bargaining Agreements; Proposed Rulemaking

AGENCY: Federal Maritime Commission.

ACTION: Proposed Rulemaking.

SUMMARY: This rule is proposed to establish the Commission's policy with regard to the exemption of certain collective bargaining agreements between labor unions and maritime multi-employer collective bargaining units from the filing and approval requirements of section 15, Shipping Act, 1916.

DATE: Comments due on on before March 24, 1980.

ADDRESSES: Comments (original and fifteen copies) to: Secretary, Federal Maritime Commission, 1100 L Street NW., Room 11101, Washington, D.C. 20573.

FOR FURTHER INFORMATION CONTACT: Francis C. Hurney, Secretary, Federal Maritime Commission, 1100 L Street NW., Room 11101, Washington, D.C. 20573, (202) 523–5725.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the Federal Maritime Commission is considering the adoption of a rule to exempt certain collective bargaining agreements in the maritime industry from the filing and approval requirements of section 15 of the Shipping Act, 1916 (the Act).

Background

On March 1, 1978, the Supreme Court of the United States held that collective bargaining agreements as a class are not categorically exempt from the filing requirements of section 15 of the Act, and that "* * * the Commission is the public arbiter of competition in the shipping industry." *Federal Maritime Commission* v. *Pacific Maritime Association*, 435 U.S. 40 *(PMA)*. The Supreme Court recognized however that the Commission need not require the filing of all or even most collective bargaining contracts entered into in the shipping industry. The Court explained that, while the only collective bargaining agreements covered by section 15 are agreements between a union and a multi-employer bargaining unit, not all such agreements are necessarily subject to the requirements of section 15. And to the extent such agreements may be subject to the section 15 requirements, the Court noted the Commission's authority under section 35 of the Act to exempt from the requirements "any class of agreements between persons subject to this chapter or any specified activity of such persons* * *." (Citing *United Stevedoring Corporation* v. *Boston Shipping Association*, 16 F.M.C. 7 (1972) (*BSA*)).

Because of its concern that if all collectively bargained agreements between unions and maritime multi-employer collective bargaining units (hereafter "employer units") on all U.S. coasts were filed for approval under section 15, needless uncertainty and delay in the collective bargaining process could result, the Commission sought to develop an expedited procedure for permitting such agreements to take effect. Therefore, on April 26, 1978, the Commission published in the **Federal Register** (43 FR 17845) an Advance Notice of Proposed Rulemaking, to solicit comments on a Commission proposal which would either exempt certain collective bargaining agreements from the pre-implementation approval requirements of section 15 of the Act, or grant such agreements interim, conditional, or final approval under that section.[1] These comments have been considered in the preparation of the rule proposed herein.

Proposed Exemption

The Commission is aware of the sensitivity of collective bargaining and the overriding public need for maritime labor peace. Therefore, as a matter of public policy, the Commission will try to ensure that its regulatory authority be exercised, if needed, with measured restraint, mindful at all times of its potential impact.

The Commission concurs with the consensus of opinion expressed in the comments on the Advance Notice of Proposed Rulemaking that any procedure which effectively leaves the legitimacy of a collective bargaining agreement (or any provision(s) thereof) in limbo pending Commission review—regardless of the dispatch with which such review could be undertaken—has a potential for disrupting the collective bargaining process to a considerable extent. The clear pattern of collective bargaining in the maritime industry is that immediate implementation is called for once a settlement has been reached. The adoption of any pre-implementation filing requirement would cause delay and introduce a destabilizing element into the collective bargaining process which could precipitate or prolong strikes and cause substantial harm to the industry, its employees, its customers and the national interest. Moreover, the uncertainty associated with potential disapproval of such agreements, even if they were permitted to be implemented prior to section 15 finality, may hamper labor-management negotiations and relations in a manner contrary to the national labor policy of the United States without any corresponding Shipping Act benefit.

Section 35 of the Act provides an appropriate remedy for accommodating the conflicting labor and shipping policies presented by collective bargaining agreements which involve persons subject to the Commission's jurisdiction under the Act. Section 35 provides that the Commission, upon application or on its own motion, may by order or rule exempt any class of agreements between persons subject to the Act, or any specified activity of such persons from any requirement of the Act where it finds that such exemption will not impair effective regulation by the Commission, be unjustly discriminatory, or be detrimental to commerce. It further provides that the Commission may attach conditions to any such exemption.

Pursuant to the Commission's exemption authority under section 35, the rule proposed herein contemplates the exemption of collective bargaining agreements from the filing and approval requirements of section 15. The exemption is on the condition that the parties to a collective bargaining agreement who are subject to the Act execute and file with the Commission the certification set forth in the rule. The certification provides that such parties agree to make reparation for or otherwise remedy any loss or injury to any person caused by any provision of the agreement or by any practice in implementation of the agreement which is found to violate any provision of the Act. The certification also provides that a copy of each of the collective bargaining agreements to which it applies will be provided to the Commission upon request.

Such an exemption would facilitate the Commission's administration of the Act in a manner consonant with the national labor policy without impairing either the Commission's effective regulation of activities engaged in by parties subject to the Act under the agreements, or the protection of parties of interest with respect to activities found to be unjustly discriminatory or unfair or which grant an unreasonable preference or advantage within the meaning of section 16 First and 17 or are otherwise violative of the laws administered by the Commission.

The rule proposed herein addresses collective bargaining agreements exclusively. The Commission will examine the status of maritime multi-employer collective bargaining units as a separate matter.

It is proposed to add Part 525 to read as follows:

PART 525—EXEMPTION OF CERTAIN COLLECTIVE BARGAINING AGREEMENTS

Sec.

525.1 Purpose and scope.

525.2 Definitions.

525.3 Certification; filing; effective date.

Authority: Sections 15, 35 and 43; 46 U.S.C. 814, 833a and 841a.

[1] From the comments received, it was evident that there was a need to notify the public of the action the Commission would take with regard to collective bargaining agreements which are filed with the Commission during the period prior to adoption of a final rule in this proceeding. Consequently, on June 12, 1978, the Commission served an *Interim Policy Statement—Collective Bargaining Agreements*, (46 C.F.R. 530.9) which established procedures for interim approval and/or termporary exemption of collective bargaining agreements becoming effective after June 9, 1978. The final rule in this proceeding will supersede the procedures set forth in (46 C.F.R. 530.9).

§ 525.1 Purpose and scope.

Section 15 of the Shipping Act, 1916 (the Act), requires that certain agreements between persons subject to the Act be filed with and approved by the Commission prior to implementation. Section 35 of the Act provides that the Commission, upon application or on its own motion, may by order or rule exempt any class of agreements between persons subject to the Act, or any specified activity of such persons from any requirement of the Act where it finds that such exemption will not impair effective regulation by the Commission, be unjustly discriminatory, or be detrimental to commerce. It further provides that the Commission may attach conditions to any such exemption. This part establishes a procedure for the exemption of maritime collective bargaining agreements from the filing and approval requirements of section 15 in order to facilitate the Commission's administration of the Act in a manner consonant with national labor policy. The exemption granted in this part extends to any collective bargaining agreement, otherwise subject to the Act, in connection with which the parties subject to the Act agree to remedy any injury or loss occasioned by the operation of any provision of that agreement found violative of the Act. The grant of an exemption under such condition will impair neither the effective regulation by the Commission of the activities engaged in pursuant to these agreements by parties subject to the Act, nor the protection of the rights of parties of interest with respect to agreements or provisions found to be unjustly discriminatory, unreasonable or otherwise violative of the Act.

§ 525.2 Definitions.

As used in this part:

(a) "Employer" means any association of employers of maritime labor, established for the purpose of negotiating and administering collective bargaining agreements, to which two or more persons subject to the Shipping Act, 1916, as set forth in section 1 of that Act, are party.

(b) "Employee" means any association of employees established for the purpose of dealing with employers on matters relating to grievances, labor disputes, wages, rates of pay, hours of employment or conditions of work.

(c) "Collective bargaining agreement" includes any agreement, or any amendment of an agreement, between an employer and an employee which regulates terms and conditions of employment. It does not include an agreement among employer members, to which the employee is not a signatory, such as an intra-employer assessment agreement for funding benefits.

§ 525.3 Certification; filing; effective date.

(a) An exemption from the filing and approval requirements of section 15 of the Act is hereby granted to any collective bargaining agreement in connection with which the parties to that agreement who are subject to the Act have executed, under oath, and filed with the Commission the following certification:

The undersigned hereby agree to make reparation for or otherwise remedy any loss or injury to any person caused by any provision of [here identify the collective bargaining agreement(s) to which this certification applies] or by any practice in implementation of that (those) contract(s) which is found to violate any provision of the Shipping Act, 1916. A copy of (each of) the collective bargaining agreement(s) to which this certification applies will be provided to the Commission upon request.

(b) The certification provided in paragraph (a) of this section may be filed either prior to or upon the execution of the collective bargaining agreement(s) to which it applies.

(c) The exemption granted in this part will be effective upon receipt of the certification required by paragraph (a) of this section or execution of any collective bargaining agreement to which it applies, whichever is later.

By the Commission.

Francis C. Hurney,

Secretary.

[FR Doc. 80-5348 Filed 2-20-80; 8:45 am]

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Notices

Federal Register
Vol. 45, No. 36
Thursday, February 21, 1980

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

CIVIL AERONAUTICS BOARD

[Docket No. 37554; Order 80-2-69]

Pan American World Airways, Inc.; Order of Suspension and Investigation and Institution of International Zones of Reasonableness

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 29th day of January 1980.

By tariff revisions filed December 20, 1979, for effectiveness February 18, 1980, Pan American World Airways, Inc. (Pan American) proposes general increases of seven percent in Latin American fares and eight percent in Pacific fares.[1] Braniff Airways, Inc. (Braniff) proposes a 3.5 percent increase in all South American fares, effective February 5, 1980.[2] Trans World Airlines, Inc. (TWA) proposed on December 28, 1979, to increase all transatlantic fares by eight percent, effective February 26, 1980. All three have requested permission to implement the increases on less than statutory notice.

In order to fulfill the intent of Congress that the Board adopt a fully automatic cost pass through, particularly for fuel cost increases, we have attempted to analyze the present filings in light of the guidelines set forth in the pending International Air Transportation Competition Act of 1979 (IATCA). (See *infra*.) Since our current action is our first attempt to focus on the new legislative criteria, it should not be construed as necessarily a final or definitive construction of the legislation.

As explained in greater detail below, our calculations are premised on projected fuel costs which are actually higher than those presented in Pan American's submission. In addition, for the Pacific area, we have made certain upward adjustments which permit fare increases above those statutorily required. And, in European markets, our analysis of public interest factors has led us to conclude that a significant degree of upward flexibility, above the statutory ceilings, is desirable. At the same time, we have very selectively exercised our powers to deny fare increases in those markets where failure to do so could jeopardize negotiating objectives, and would be counterproductive to the long-run interests of U.S. consumers and carriers. We are allowing all the proposed increases to take effect as filed in markets where the United States has liberal bilateral agreements which guarantee a substantial degree of pricing freedom. To summarize our conclusions at the outset, we will allow, with minor exceptions, increases over October 1, 1979, levels of 10.6 percent in European markets, 5.6 percent in other Atlantic markets, 7.5 percent in Pacific markets, and 5.5 percent in Latin American markets. Further increases will be permitted when we next review this subject in two months.

In support of its proposal, Pan American states that it has followed the approach of the "imminent" International Air Transportation Competition Act in an effort to begin to systematize the analyses and judgments needed to cope with rising fuel costs. The IATCA was reported out of a House/Senate Conference Committee on December 19, 1979 (H. Rep. 96-716); passage of the bill is expected early in the 1980 session of Congress. To the extent pertinent here, the bill would require the Board to establish standard foreign fare levels (SFFL) and to adjust SFFL's periodically by the percentage change in actual operating cost per available seat-mile (ASM). The SFFL thus compiled would form the ceiling of a statutory no-suspend zone similar to the zones of reasonableness established by the Airline Deregulation Act and set forth in section 1002(d) of the Federal Aviation Act of 1958.

Pan American states that it has calculated the cost change per ASM from the October 1, 1979, base period at 7.18 percent for Latin America and 8.22 for the Pacific for all U.S. carriers; it has followed the Board's domestic standard industry fare level (SIFL) methodology with some adjustments;[3] unprecedented increases in fuel costs are continuing unabated and all costs, triggered by energy and other inflationary factors, are increasing rapidly; and immediate fare relief is urgently needed.

TWA, in its justification, asserts that the proposed increase is prompted not only by the latest of several crude oil price increases which are being passed on to airlines "virtually overnight", but also by the "failure of the current regulatory system to produce the rapid pass-through of prior fuel cost increases that (the carriers) require";[4] although it is sensitive to the Board's view that all markets should not necessarily be treated the same in fare filings, TWA could not conclude that cost or

[1] On its South Pacific routes, Pan American proposes to increase fares other than normal economy by only three percent, because such fares were increased by five percent on December 12, 1979; thus the total increase for such fares would be consistent with that proposed here in other Pacific fares.

[2] Braniff has already withdrawn U.S.-South America partly "unbundled" normal economy fares which represented reductions of 0.1 to 18.6 percent from previous normal fares. Braniff states that most foreign governments on its routes had disapproved the fares, and it was not possible to maintain a dual structure of normal fares and service amenities for different markets on the same route. More recently Braniff amended its filing to provide for the same seven percent increase as proposed by Pan American, stating that it relied on Pan American's justification.

[3] Pan American used a base period of the 12 months ended September 30, 1979, and projected costs as if the proposed fares would be effective from January 1, 1980, to February 29, 1980. It projected non-fuel costs from the midpoint of the base period (*i.e.*, April 1, 1979, to 90 days past the proposed fares' effective date, *i.e.*, to March 31, 1980, the midpoint of the 12 months beginning October 1, 1979); fuel costs were projected 30 days beyond the assumed tariff effective date (*i.e.*, to February 1, 1980, the midpoint of the two months beginning January 1).

Pan American excluded Northwest Airlines data which were considerably distorted by Northwest's 1978 strike. In the absence of international all-cargo cost data, Pan American has departed from the domestic methodology by using a breakeven, revenue offset assumption to exclude both freighter and belly cargo operations; and it has not attempted to exclude expenses of non-scheduled passenger operations because it questions the Board's assumption in the SIFL methodology that such services operate at a five percent profit margin. (In SIFL, the Board excludes 95 percent of the non-scheduled passenger revenue.)

[4] TWA alleges that the general statutory requriement for 60 days' advance filing of fare increases should be modified in practice to allow implementation within 30 days; another form of regulatory lag is that foreign carriers often wait to see what action the Board takes on U.S. carrier fares before filing their own fare proposals; and finally, the guaranteed air fare rule, with allows passengers purchasing their tickets far enough in advance to travel at lower fares, has also impared recoupment of fuel cost increases. TWA also asserts that the Board's alleged failure to consider price elasticity of demand results in overstatement of carriers earnings. We would observe that the Board has been permitting international fare increases on 30 days' notice for some time.

marketing differences by route or fare type warranted different treatment in this instance, and the emergency nature of the situation requires increases in all fares; TWA is now paying 85 cents per gallon for fuel and estimated an average 1980 price of $1.03 per gallon; TWA has already improved productivity markedly, but because of rising fuel costs has experienced declining earnings, so it will incur a pre-tax loss of $84.8 million and a −6.9 percent return on investment (ROI) in Atlantic operations in 1980 absent fare relief; and even with the proposed higher fares its ROI will be only 0.6 percent.

Discussion

As noted, the IATCA provides for a fare flexibility zone within which the Board could not (with certain exceptions) suspend a passenger fare on grounds that the fare is unreasonable. The base (SFFL) for the zone would, for the first six months after enactment, be fares filed for and permitted by the Board to go into effect on or after October 1, 1979. For the first six months, the ceiling for the non-suspendable zone would be those base fares plus percentage adjustments representing increases or decreases in the actual operating cost per available seat mile. Fare decreases up to 50 percent below the SFFL would be permitted without suspension. The Board is not to make adjustments to costs actually incurred. SFFL adjustments are required 30 days after enactment, and every six months thereafter, except that adjustments with respect to fuel costs are to be made not less often than every 60 days.[5]

Fares found to be unduly preferential, unduley prejudicial, unjustly discriminatory or predatory, or where suspension is in the public interest because of unreasonable regulatory actions by a foreign government with respect to fare proposals of an air carrier, would remain subject to suspension by the Board even if within the fare flexibility zone.

Even before the present filings were initiated, our staff had been investigating whether zones of reasonableness similar to those established by PS–80 and the Airline Deregulation Act could be extended to international fares and rates. In PSDR–65, the Board recently proposed to establish such zones for international cargo rates. Our approval in October and November of increased international passenger fares [6] was premised on an analysis of projected cost increases over the levels used in the cost studies prepared in connection with Order 79–9–75 and released as the staff's preliminary international fares study. After careful consideration of the tariff filings, the ceiling zones established here, and other relevant factors, the Board has decided to suspend the increases selectively in all three entities. We are also allowing certain increases in excess of those mandated by the IATCA. As explained below, the increases proposed exceed our estimates of the actual cost changes per ASM. We will, however, permit some of the increases in excess of the ceilings to take effect where we believe the overall public interest warrants approval. In cases where we are suspending fare increases, carriers will be free to refile more moderate increases, on short notice, consistent with the SFFL and regulatory zones set forth in this order, with some exceptions in particular markets.

SFFL Methodology

Our domestic SIFL methodology projects the most recent cost trends, to the midpoint of the period in which the fare ceiling will be in effect. The IATCA, like the analogous provisions for domestic fares, provides for the Board to consider reasonable estimates of foreseeable future costs in our calculations. Since the September 1979 domestic SIFL calculation (see Order 79–8–184) fuel costs have been broken out separately. We take the average escalation for the most recent four month period (here, September–December 1979) and project it forward. In the non-fuel cost area, we compare the escalation shown by a comparison of the most recent 12 month period (here, the 12 months ended September 1979) with the previous 12 month period (the 12 months ended September 1978). This result, too, is projected forward to the midpoint of the rate period.

As explained below, we found that a precise replication of this methodology in the international area would probably understate costs, and we have attempted to correct this. Our calculations attempt to measure inflation from October 1, 1979, to February 29, 1980, the midpoint of the February–March zone established in this order, for three ratemaking entities: Atlantic, Pacific, and Latin America. These inflation factors will be reviewed before April, 1980, when a specific method for dealing with seasonal variations will also be prescribed.

We have projected non-fuel costs through March 1 for the two-month per February–March 1980.[7] We do not agree with Pan American that adjusted cost data for the Pacific entity should be adjusted by totally excluding the data for highly efficient Northwest Airlines, which was on strike for several months in 1978. In the domestic SIFL, we have made no such adjustments, which arguably do not represent the unadjusted actual costs as prescribed by the Airline Deregulation Act or the IATCA.[8]

As a poilicy matter in this case, however, we have taken the distortions attibutable to the Northwest strike into consideration, as described below. We have also noted discrepancies between Pan American data entries and figures reported on official Form 41's as received in our offices; of course, we must rely on the latter. Finally we have adjusted projected fuel prices upward, above Pan American's own projections, to reflect a significant increase in the rate of fuel cost escalation within the last several weeks.[9]

Our upward adjustment of fuel costs not only is above Pan American's projections, but also exceeds results

[5] Within the first six months after enactment, the Board is to conduct an oral evidentiary hearing to determine the reasonableness of October 1, 1979, fares in a limited number of markets, and may set a different SFFL base in markets where the October 1, 1979, fares are found to be unreasonable. The Board-set SFFL shall come into effect only after expiration of the first six months following enactment. At that time the zone of flexibility would be widened to provide for non-suspension of fares not more than five percent above the SFFL. Fares which become effective during the first six months would remain in effect even if the Board set a SFFL below the adjusted October 1, 1979, fare levels, but future nonsuspendable fare increases would be determined on the basis of the adjusted Board-set SFFL.

[6] Pan American increased its fare levels in the Atlantic and South Pacific generally by five percent. TWA increased most of its fares by seven percent. The increases took effect in December and early January, although the Board had approved the fares for earlier effectivness.

[7] Pan American erred, in our judgment, in projecting non-fuel costs past the actual midpoint of the period in which the SFFL will be effective. Thus, Pan American projected non-fuel costs to March 31, 1980, to determine a cost level for a two-month period ending February 29, 1980. However, the midpoint of this period would be January 31, not March 31.

[8] Thus, in our most recent SIFL orders, we have made no adjustment because of the United Airlines strike in the spring of 1979. Had we normalized, the SIFL would have been lower than it was. The pertinent statutory provisions state that the "Board shall make no adjustment to costs actually incurred." *See* Section 1002(d)(6)(B) of the Federal Aviation Act and section 24 of the IATCA.

[9] We note also that Pan American's calculations for Latin America reflected fuel costs for that entire Division, including U.S. overseas operations to and from Puerto Rico and the Virgin Islands. In our SFFL calculations we have excluded overseas fuel costs to accurately reflect the actual costs for foreign operations. We have made no further exclusions or segregations of the three basic reporting entities on this occasion, but believe it may be appropriate, where data are available, to continue to separate the operating divisions into the traditional broad market areas for ratemaking purposes; and we mean to explore the matter further.

produced by application of our domestic methodology. The four month average of September-December increases produced the following monthly rates of escalation: 3.11 cents per gallon in the Atlantic, 2.11 cents per gallon in the Pacific, and 2.83 cents per gallon in Latin America. We have reviewed the weekly fuel reports submitted to us by most U.S. international air carriers since the summer, and observe that per gallon fuel costs have most recently been rising about one cent per week. It is this figure that we have projected forward. The resulting projections are fuel prices of 96.45 cents in the Atlantic, 92.83 cents in the Pacific, and 89.00 cents in Latin America, at March 1, 1980.

Based on our calculations, we find the projected actual cost change per ASM to be 5.6 percent in the Atlantic, 5.9 percent in the Pacific, and 5.5 percent in Latin America. These figures reflect the change in fuel and non-fuel costs from the 12 months ended September 30, 1979, to the projected cost level at March 1, 1980 (the midpoint of the 60 days beginning February 1, 1980). (See Appendices A and B.) The relationships between these cost changes and the proposed fare increases, of course, imply nothing about the reasonableness of the October 1, 1979, base fares, which will be at issue in the hearing mandated by the IATCA.

Our review of the results of the calculations, however, prompts us, as a matter of regulatory policy, to permit increases above the ceilings in some instances. First, while it was incorrect for Pan American to simply discard Northwest non-fuel data, the latter's strike (April 29–August 14, 1978) does disort the calculations. The strike resulted in a precipitous drop in ASM's without fully corresponding cost decreases. Thus, the cost per ASM in the September 30, 1978, test period is higher than it would otherwise be, and the escalation to the test period September 30, 1979, which our methodology projects forward to March 1, 1980, is less than it would otherwise be. Because the strike was so lengthy, and Northwest is a major carrier to the Orient, as adjustment is necessary.[10] We believe Northwest's experience should not be excluded entirely, but we should normalize for it. To do so, we constructed non-fuel costs for the strike months by assuming constant relationships between market share and expense, and otherwise holding costs constant. See Appendix C. This is highly conservative, because Northwest actually had a lower non-fuel cost per ASM at the end of the September 30, 1978, period than at the beginning. The normalization adds an additional 1.6 percent to the 5.9 percent previously calculated, for a total of 7.5 percent which we will adopt administratively as the regulatory non-suspend ceiling.

Second, we have observed generally low rates of non-fuel cost escalation produced by our methodology, particularly in the Atlantic Division.[11]

Apparently, large productivity gains were realized in the 1978–1979 period by, *inter alia,* introduction of denser seating, continued replacement of old inefficient capacity, and an increase in stage lengths. In the U.S.-Europe market, the potential for such continuation of marked productivity improvements appears to be rather limited for the near future. For this reason we have determined that in the U.S.-Europe market, we should generally permit the carriers five percent upward flexibility above the ceiling at this time. We have decided not to permit any upward flexibility above the SFFL in Latin America and certain Pacific markets, where we have in the past pointed out that even discount fares may exceed their relevant costs.

Third, we will permit all the increases in first class fares to become effective as filed, except where we are suspending *all* fare increases in a particular market. Similarly, we will also permit increases in bundled normal economy fares (such as business class fares) above the ceiling in markets where an unbundled normal economy fare is available. Although we could, under the provisions of the IATCA, suspend all such increases above the SFFL ceiling, in our judgment the public interest would best be served by refraining from such action. We have taken a similar approach to domestic first class fares in our interpretation of the Airline Deregulation Act, and believe the same considerations which led us to refrain from applying SIFL ceilings to domestic first class fares are also valid in the international area. Domestic coach fares were already effectively "unbundled" when the SIFL zones were instituted, so no fares comparable to international business class fares are published for domestic travel. However, many of the same considerations which argue for permitting first class increases above the SFFL ceiling apply to business class and similar fares as well, and we believe the public interest would be best served by allowing the increases to take effect as filed.

Pan American's increases of eight percent in the Pacific and seven percent in Latin America, and TWA's 15.6 percent increase in the Atlantic (seven plus eight percent, compounded), are excessive when compared with the measured cost changes, under the criteria established by the IATCA. For this reason we are suspending Pan American's proposed Pacific increases in all economy class fares, but will allow a short-notice refiling for a 7.5 percent increase.[12] As explained below, however, we will not permit any increases in any promotional fares between the United States and Japan.[13] In Latin America we will allow Braniff's initial 3.5 percent filing to take effect, and we will suspend Braniff and Pan American's proposed seven percent increases in economy class fares. Each carrier is free to file on short notice to implement a total increase of 5.5 percent in markets where we are not suspending fare increases for reasons unrelated to the SFFL zone.

In the Atlantic, we will suspend TWA's proposed eight percent increase in normal economy fares. We are not suspending TWA's porposed increase in promotional fares even though the cumulative increase far exceeds the measured cost change. The carrier argues that there is a substantial need for these increases, and we do not consider the resulting fares to be so high as to require suspension. In addition, as indicated, we will in this order permit five percent upward flexibility for most European markets; thus TWA will generally be able to implement up to a

[10] The period ended September 30, 1979, was itself somewhat distorted because of the unusually high costs associated with Braniff's entry into Pacific markets during the period. While Braniff is not generally a high cost carrier, its start-up expenses were large. However, our calculations suggest the impact is not great.

[11] From the 1978 to the 1979 base period, non-fuel costs increased by averages of 5.66 percent in Latin America, 4.88 percent in the Pacific (adjusted), and only 1.92 percent in the Atlantic.

[12] In the South Pacific, 2.5 percent for fares which were already increased by five percent in December 1979. (See footnote 1.)

[13] On the other hand, there are many Pacific markets in which present fares are considerably lower and competitive conditions better than Japan, and we would review proposals to increase fares in such markets by more than the 7.5 percent ceiling on a case-by-case basis. Of course, some of these markets—Korea, Taiwan, Singapore, Thailand—are covered by bilaterals and we will act accordingly. We will also accept all of Pan American's increases between San Francisco and Manila as filed. Pan American's fares in that market are considerably lower per mile than most of its other North/Central Pacific fares, a situation which will continue even if we permit a slightly higher increase between San Francisco and Manila than in the other markets. On the other hand, San Francisco-Manila load factors are generally very high, due in part to capacity restrictions, and it is therefore difficult to determine the carriers' precise needs for revenue relief. Our decision whether to continue to permit fare increases above the SFFL ceiling will depend on an evaluation of the capacity situation and other relevant factors.

3.6 percent increase in normal economy fares on short notice.

One of the recognized bases for suspension under the new legislation is unreasonable regulatory actions of foreign governments with regard to fare filings of U.S. carriers. In such cases the IATCA recognizes that the Board may need to take suspension action in order to protect and promote the long-term interests of both U.S. carriers and consumers.[14]

Japan has repeatedly refused to accept low fares filed by U.S. carriers. As a result, fares between the United States and Japan are generally higher than those available in other North/Central Pacific markets. Therefore we will not approve the present fare increase filing. We would be justified in suspending all fare increases to and from Japan due to the Japanese Government's past fare actions. We must, however, carefully consider the need of U.S. carriers to offset cost increases in order to provide effective service. For example, Los Angeles-Tokyo normal economy fares are lower per mile than other West Coast-Japan fares; New York-Tokyo fares are relatively high per mile, but the carrier's costs are relatively high due to use of B-747SP equipment. We must weigh these present revenue requirements against the need to respond to unreasonable foreign government fare actions as we seek to further long-term U.S. carrier and consumer interests. In the U.S.-Japan market we have concluded that on balance the public interest supports placing more weight on the carriers' immediate need to recover cost increases. Therefore we will approve a refiled 7.5 percent increase in most normal economy fares between the United States and Japan consistent with the measured cost change.[15] On the other hand, we can refuse any refiled increases in the promotional fares between the United States and Japan without serious harm to our carriers, since these fares are already at high levels and narrowly available.

Venezuela has on numerous occasions disapproved U.S. carrier tariff proposals, and has even directed U.S. Carriers to apply increased fares from Venezuela equal to those adopted in IATA agreements or approved by the Venezuelan Government for use by Viasa. Consequently, U.S. carrier opportunities to exercise management discretion in pricing have been severely constrained, and the public interest requires withholding of all fare increases in this market.[16]

In the Atlantic market, TWA proposed on January 22 to reduce its U.S.-France normal economy fares by unbundling. We are encouraged by TWA's proposal and will permit it to become effective. However, its earlier eight percent increase proposal is still on file and must be suspended along with other U.S.-Europe normal economy eight percent fare increases which exceed the SFFL ceiling. Had TWA not unbundled its fares, we would have had to consider U.S.-France fares in light of France's practice of almost routinely disapproving U.S. carrier discount fare initiatives geared to the U.S. carriers' marketing and operational approaches.[17]

We recognize that there are other governments which have unreasonably denied U.S. carrier fare filings. However, our determination of whether suspension of fare increases is warranted because of unreasonable foreign government actions necessarily reflects the balancing of the need to suspend fares for the long-run benefit of consumers against the need of carriers for increased revenues to offset rising costs. In each case where we have decided to undertake strategic suspensions, we concluded that denial of fare increases would not have an adverse effect on U.S. carriers' short-term interests severe enough to justify foregoing the opportunity to improve the long-term interests of both consumers and carriers.

Accordingly, pursuant to sections 102, 204(a), 403, 801, and 1002(j) of the Federal Aviation Act of 1958, as amended:

1. We shall institute an investigation to determine whether the fares and provisions set forth in Appendices E, F, G, and H hereof, and rules and regulations or practices affecting such fares and provisions, are or will be unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial or otherwise unlawful; and if we find them to be unlawful to act appropriately to prevent the use of such fares, provisions or rules, regulations, or practices;

2. Pending hearing and decision by the Board, we suspend and defer the use of the tariff provisions in the attached:

Appendix E from February 18, 1980, to and including February 17, 1981,

Appendix F from March 3, 1980, to and including March 2, 1981,

Appendix G from March 11, 1980, to and including March 10, 1981,

Appendix H from February 26, 1980, to and including February 25, 1981,[18] unless otherwise ordered by the Board, and shall permit no changes to be made therein during the period of suspension except by order or special permission of the Board;

3. We shall submit this order to the President [19] and it shall become effective on February 18, 1980, with respect to the tariff provisions in Appendix E; on March 3, 1980, with respect to the tariff provisions in Appendix F; on March 11, 1980, with respect to the tariff provisions in Appendix G; and on February 26, 1980, with respect to the tariff prvisions in Appendix H; and

4. We shall file copies of this order in the aforesaid tariffs and serve them on Pan American World Airways, Inc., Barniff Airways, Inc., and Trans World Airlines, Inc.

We shall publish this order in the **Federal Register.**

Phyllis T. Kaylor,[20]

Secretary.

[FR Doc. 80-5369 Filed 2-20-80; 8:45 am]

BILLING CODE 6320-01-M

[14] It might seem most logical here to defer such action until the foreign carriers file, especially since we are suspending many of the proposed increases. But as TWA points out, foreign carriers often wait to see what action the Board is taking on U.S. carrier filings before they make their own fare proposals. In addition, were we to permit the U.S. carrier increases to take effect now, we would be prohibited by many of our bilateral agreements from denying foreign carriers the opportunity to match such fares. For these reasons, and to expedite implementation of those fare increases which will be permitted, we are taking such action now.

[15] We will not, however, permit any increase in normal economy fares between Seattle and Japan. Since the fares are already at very high per mile levels, the U.S. carriers should not suffer losses as a result of this action. We are not prejudging here the *Pacific Common Fares* case, Docket 30938, in which the issue is whether unjust discrimination exists due to common faring.

[16] We continue to believe that fares between the U.S. And Venezuela are excessive especially considering the high low factors in this market.

[17] This also moots the question of whether to include U.S.-France fares in the five percent upward flexibility zone permitted generally to Europe.

[18] Appendices Although H filed as part of the original document.

[19] We submitted this order to the President on January 31, 1980.

[20] All members concurred.

DEPARTMENT OF COMMERCE

Maritime Administration

Participation by Vessels Built With CDS in the Carriage of Alaskan Oil in the Domestic Trade; Application of Richmond Tankers, Inc.

Notice is hereby given that an application has been filed by Richmond Tankers, Inc. (Richmond), bareboat charterer of the tanker, BAY RIDGE, for written permission for the temporary employment of the vessel in the carriage oil in the domestic trade from Valdez, Alaska, to Panama.

The BAY RIDGE, a 224,428 deadweight ton tanker built with

construction-differential subsidy, is proposed to operate in the Alaska/Panama oil trade for six months pursuant to a contract of affreightment between Pierce Tanker Corp. (Pierce) and Earth Resources, Inc. (Resources). The initial voyage is scheduled to begin April 1–15, 1980. Resources and Pierce have a need to transport approximately 22,000 barrels per day of Alaskan oil. Additionally, Pierce is to transport Alaskan oil for Alaska Petrochemical Co. (Alpetco), beginning around July 1980, Richmond has agreed to make the BAY RIDGE available to Pierce for said transportation.

Richmond understands that suitable vessels of a competitor are not available for the period of time requested by this application. Richmond further states that no available vessels would fulfill the transportation requirements of Resources and Alpetco.

Interested parties may inspect Richmond's application in the Office of the Secretary, Maritime Administration, Room 3099–B, Department of Commerce Building, 14th and E Streets, NW., Washington, D.C. 20230.

Any person, firm, or corporation who is a "competitor," as defined in § 250.2 of the regulations as set forth in Part 250 of Chapter II, Title 46, of the CFR published in the **Federal Register** issue of June 29, 1977 (42 FR 33035), and desires to protest such application should submit such protest in writing, in triplicate, to the Secretary, Maritime Administration, Washington, D.C. 20230. Protests must be received on or before February 27, 1980. If a protest is received, the applicant will be advised of such protest by telephone or telegram and will be allowed three working days to respond in a manner acceptable to the Assistant Secretary for Maritime Affairs. Within five working days after the due date for the applicant's response, the Assistant Secretary will advise the applicant, as well as those submitting protests, of the action taken, with a concise written explanation of such action. If no protest is received concerning the application, the Assistant Secretary will take such action as may be deemed appropriate.

(Catalog of Federal Domestic Assistance program No. 11.500 Construction-Differential Subsidies (CDS))

By order of the Assistant Secretary for Maritime Affairs.

Dated: February 15, 1980.

Robert J. Patton, Jr.,

Secretary.

[FR Doc. 80-5372 Filed 2-20-80; 8:45 am]

BILLING CODE 3510-15-M

Proposal of a New System for Determination of Foreign-Flag Competition for Tentative Subsidy Rate Calculations

An improved method is needed to develop the substantiality and extent of foreign-flag competition for use in making tentative rates which will more accurately reflect actual competition faced by U.S.-flag operators receiving operating-differential subsidy (ODS). There are time lags inherent in the current procedure of using final competitive weights approved by the Maritime Subsidy Board for the calculation of tentative operating-differential subsidy wage rates for subsequent years.

The present procedure is to use the latest available final percentage weights approved by the Board with attendant vessel identification for all tentative rate calculations. This assures that the cargo and vessel data are as accurate as possible, but results in such lengthy delays that the resulting weights no longer reflect the actual competition faced by ODS operators. If somewhat less accurate but more current cargo and vessel data can be accepted as the basis for tentative wage rate calculations, such rates will correspond much more closely to the actual competition faced and the resulting adjustments when final rates are determined will be significantly reduced. No change is being proposed in the procedures for the calculation of tentative rates for items other than wages (the fair and reasonable cost of insurance, maintenance and repairs not compensated by insurance) at this time.

Therefore, it is proposed that the commodity movement monthly (CMM) data base from the Bureau of Census be used to identify the flags of the principal foreign competitors. These data become available approximately three months after actual vessel movement and are approximately 95 percent accurate. The resulting percentage weights are expected to much more accurately reflect the actual competition for tentative wage rate calculations.

The monthly commodity data base does not identify the vessels carrying the cargoes. Another monthly file from Census shows vessel movements, but no cargo data. An existing ADP system merges these files, but has no mechanism for handling flawed records. Only 50-60 percent of the commodity movements can be matched to vessel type by this system (COSIS). However, only the predominant type of foreign-flag vessel needs to be identified for tentative wage rate calculations. Thus, it is considered appropriate to accept this level of accuracy in the data in order to gain a major increase in accuracy due to timeliness.

Therefore, it is also proposed that the COSIS system be used to identify the predominant type of foreign-flag vessel for tentative wage rate calculations.

Any person, firm or corporation having any interest in the subject proposal and desiring to make comments, should by the close of business on March 17, 1980 make such comments to the Secretary, Maritime Subsidy Board, in writing, in triplicate.

Dated: February 15, 1980.

By order of the Maritime Subsidy Board.

Robert J. Patton, Jr.,

Secretary.

[FR Doc. 80-5371 Filed 2-20-80; 8:45 am]

BILLING CODE 3510-15-M

Minority Business Development Agency

Financial Assistance Application Announcement; Florida

The Minority Business Development Agency (MBDA), formerly the Office of Minority Business Enterprise, announces that it is seeking applications under its program to operate one project for a twelve month period beginning April 1, 1980 in the counties of Alachua, Columbia, Duval, Putnam and St. Johns, Florida with an office in the city of Jacksonville, Florida. The cost of the project is estimated to be $96,000 and the Project Number is 04–10–30291–00.

Funding Instrument: It is anticipated that the funding instrument, as defined by the Federal Grant and Cooperative Agreement Act of 1977, will be a grant.

Program Description: Executive Order 11625 authorizes MBDA to fund projects which will provide technical and management assistance to minority business enterprises. This proposed project is specifically designed to meet the specifications for a Business Development Organization for the purpose of providing services to promote the establishment, viability and growth of qualified minority owned businesses.

Eligibility Requirements: There are no restrictions. Any for-profit firm or not-for-profit institution is eligible to submit an application.

Application Materials: An application kit for each of the projects may either be requested by writing to the following address: U.S. Department of Commerce, Minority Business Development Agency, Atlanta Regional Office, 1371 Peachtree Street, N.E., Suite 505, Atlanta, Georgia 30309.

In requesting an application kit, the applicant must specifiy its profit status

(i.e., a State or local Government, Federally recognized Indian Tribunal Unit, Educational Institution, Hospital, other type of non-profit organization, or if the applicant is a for-profit firm). This information is necessary to enable MBDA to include the appropriate cost principles in the application kit.

Award Process: All applications that are submitted in accordance with the instructions in the application kit will be submitted to a panel for review and ranking. The applications will be ranked as to their understanding of minority business problems, approach and program methodology, responsiveness to questions, organizational structure, quality of personnel, experience, capacity, and cost. Specific criteria will be included in the application kit.

If an application is approved, an initial award will be made for a period specified for that award. Continuation awards may be made on a noncompetitive basis when determined by the Awards Office to be in the best interest of the Government.

Closing Date: Applicants are encouraged to obtain an application kit as soon as possible in order to allow sufficient time to prepare and submit an application before the closing date of March 14, 1980. Detailed submission procedures are outlined in each application kit.

(11,800 Minority Business Development, Catalog of Federal Domestic Assistance)

Dated: February 14, 1980.

Allan A. Stephenson,

Deputy Director.

[FR Doc. 80-5353 Filed 2-20-80; 8:45 am]

BILLING CODE 3510-21-M

Financial Assistance Application Announcement; Illinois

The Minority Business Development Agency (MBDA), formerly the Office of Minority Business Enterprise, announces that it is seeking applications under its program to operate one project for a 12 month period beginning April 1, 1980, within the State of Illinois and primarily within the Chicago Standard Metropolitan Statistical Area (SMSA). The cost of the project is estimated to be $310,000 and the Project Number is 05-60-00116-00.

Funding Instrument: It is anticipated that the funding instrument, as defined by the Federal Grant and Cooperative Agreement Act of 1977, will be a grant.

Program Description: Executive Order 11625 authorizes MBDA to fund projects which will provide technical and management assistance to minority business enterprises. This proposed project is specifically designed to provide general business services of a Business Development Center. Such services include: (1) Increasing the number of minority business enterprise starts; (2) Strengthening existing minority business enterprises; (3) Improving opportunities for socially or economically disadvantaged persons to own successful businesses; (4) Mobilizing and applying informational, financial, technical, management, and market resources of the private sector to increase the number of minority businesses; (5) Increasing the penetration of corporate and institutional purchases from minority-owned and minority controlled businesses; and (6) Strengthening and providing marketing opportunities for existing minority-owned businesses.

Eligibility Requirements. There are no restrictions. Any for-profit firm or not-for-profit institution is eligible to submit an application.

Application Materials: An application kit for each of the projects may be requested by writing to the following address: U.S. Department of Commerce, Minority Business Development Agency, Chicago Regional Office, 55 East Monroe Street—Suite 1440, Chicago, Illinois 60603. In requesting an application kit, the applicant must specify its profit status (i.e., a State or local Government, Federally recognized Indian Tribunal Unit, Educational Institution, Hospital, other type of non-profit organization, or if the applicant is a for-profit firm). This information is necessary to enable MBDA to include the appropriate cost principles in the application kit.

Award Process: All applications that are submitted in accordance with the instructions in the application kit will be submitted to a panel for review and ranking. The applications will be ranked as to their understanding of minority business problems, approach and program methodology, responsiveness to questions, organizational structure, quality of personnel, experience, capacity, and cost. Specific criteria will be included in the application kit.

If an application is approved, an initial award will be made for a period specified for that award. Continuation awards may be made on a noncompetitive basis when determined by the Awards Office to be in the best interest of the Government.

Closing Date: Applicants are encouraged to obtain an application kit as soon as possible in order to allow sufficient time to prepare and submit an application before the closing date of March 7, 1980. Detailed submission procedures are outlined in each application kit.

(11.800 Minority Business Development Catalog of Federal Domestic Assistance)

Dated: February 14, 1980.

Allan A. Stephenson,

Deputy Director.

[FR Doc. 80-5351 Filed 2-20-80; 8:45 am]

BILLING CODE 3510-21-M

Financial Assistance Application Announcement; Washington

The Minority Business Development Agency (MBDA), formerly the Office of Minority Business enterprise, announces that it is seeking applications under its program to operate one project for a twelve month period beginning May 15, 1980 in the following SMSA areas: (1) Primary Area—Seattle, Everett and Tacoma, Washington; (2) Secondary Area—Yakima, Richland, Kennewick and Spokane, Washington. The grantee shall establish two offices to service the minority businesses in those two geographical areas. The cost of the project is estimated to be $310,000 and the Project Number is 10-10-50420-00.

Funding Instrument: It is anticipated that the funding instrument, as defined by the Federal Grant and Cooperative Agreement Act of 1977, will be a grant.

Program Description: Executive Order 11625 authorizes MBDA to fund projects which will provide technical and management assistance to minority business enterprises. This proposed project is specifically designed to provide the services of a Business Development Center (BDC) to minority businesspersons and firms. Additionally, the BDC will perform the following functions: Outreach, business information, client screening and selection, business plan, business packaging assistance, and marketing assistance.

Eligibility Requirements: There are no restrictions. Any for-profit firm or not-for-profit institution is eligible to submit an application.

Application Materials: An application kit for each of the projects may either be requested by writing to the following address: U.S. Department of Commerce, Minority Business Development Agency, San Francisco Regional Office, 450 Golden Gate Avenue, Room 15045, San Francisco, California 94102.

In requesting an application kit, the applicant must specify its profit status (i.e., a State or local Government, Federally recognized Indian Tribunal Unit, Educational Institution, Hospital, other type of non-profit organization, or if the applicant is a for-profit firm). This information is necessary to enable MBDA to include the appropriate cost principles in the application kit.

Award Process: All applications that are submitted in accordance with the instructions in the application kit will be submitted to a panel for review and ranking. The applications will be ranked as to their understanding of minority business problems, approach and program methodology, responsiveness to questions, organizational structure, quality of personnel, experience, capacity, and cost. Specific criteria will be included in the application kit. If an application is approved, an initial award will be made for a period specified for that award. Continuation awards may be made on a noncompetitive basis when determined by the Awards Office to be in the best interest of the Government.

Closing Date: Applicants are encouraged to obtain an application kit as soon as possible in order to allow sufficient time to prepare and submit an application before the closing date of April 1, 1980. Detailed submission procedures are outlined in each application kit.

(11.800 Minority Business Development, Catalog of Federal Domestic Assistance)

Dated: February 14, 1980.

Allan A. Stephenson,

Deputy Director.

[FR Doc. 80-5352 Filed 2-20-80; 8:45 am]

BILLING CODE 3510-21-M

Office of the Secretary

Performance Review Board

Below is a listing of individuals who are eligible to serve on the Performance Review Board in accordance with the Senior Executive Service Economic and Statistical Affairs Performance Appraisal System:

Dorothy Rice
Jerome Mark
Martin Marimont
Margaret Martin
Daniel B. Levine
Joseph W. Duncan
Gaylord E. Worden
Katherine K. Wallman
Shirley Kallek
Barbara Bailar
George E. Hall
W. Bruce Ramsay
James D. Lincoln
Rex L. Pullin
William A. Cox
George Jaszi
Allan H. Young
John E. Cremeans
Charles A. Waite
Edward F. Denison
Frank de Leeuw
Kenneth M. Brown
Beatrice N. Vaccara
Jack J. Bame
Daniel H. Garnick

JoAnn Sondey,

Executive Secretary, Economic and Statistical Affairs Performance Appraisal System.

[FR Doc. 80-5319 Filed 2-20-80; 8:45 am]

BILLING CODE 3510-17-M

DEPARTMENT OF DEFENSE

Department of the Army

Fort Drum, New York; Filing of Environmental Impact Statement

The Army, on February 15, 1980, provided the Environmental Protection Agency a Draft Environmental Impact Statement (DEIS) concerning the on-going missions at Fort Drum, New York. The alternatives of maintaining, discontinuing, or changing missions at Fort Drum are analyzed. Copies of the statement have been forwarded to concerned Federal, State, and local agencies. Interested organizations or individuals may obtain copies for the cost of reproduction from the Commander, Headquarters, Fort Drum, ATTN: Director of Facilities Engineering, Watertown, NY 13601.

In the Washington area, copies may be seen during normal duty hours, in the Environmental Office, Office of Assistant Chief of Engineers, Room 1E676, Pentagon, Washington, DC 20310, telephone: (202) 694-3434.

John T. Nash,

Acting Deputy for Environment, Safety and Occupational Health, OASA (IL&FM).

[FR Doc. 80-5373 Filed 2-20-80; 8:45 am]

BILLING CODE 3710-08-M

Marine Corps

Privacy Act; Amendment to System of Records

AGENCY: Department of the Navy (U.S. Marine Corps).

ACTION: Notice of amendment to system of records.

SUMMARY: The U.S. Marine Corps proposes to amend an existing system of records subject to the Privacy Act of 1974. The specific changes to the system being amended are set forth below, followed by the system published in its entirety, as amended.

DATES: The system shall be amended as proposed without further notice on March 22, 1980, unless comments are received on or before March 22, 1980, which would result in a contrary determination.

ADDRESS: Send comments to the system manager identified in the record system notice.

FOR FURTHER INFORMATION CONTACT: Mrs. B. L. Thompson, Privacy Act Coordinator, Headquarters, U.S. Marine Corps, Washington, D.C. 20380, telephone: 202-694-1122.

SUPPLEMENTARY INFORMATION: The Marine Corps' record systems notices as prescribed by the Privacy Act of 1974, Pub. L. 93-579 (5 U.S.C. 552a) have been published in the **Federal Register** as follows:

FR Doc 79-36297 (44 FR 68946) November 30, 1979;

FR Doc (44 FR 74495) December 17, 1979.

The proposed amendment is not within the purview of the provisions of 5 U.S.C. 552a(0) of the Act which requires the submission of a new or altered system report.

H. E. Lofdahl,

Director, Correspondence and Directives, Washington Headquarters Services, Department of Defense.

February 14, 1980.

Amendment

MFD00003

System name:

Joint Uniform Military Pay System/ Manpower Management System (JUMPS/MMS) (44 FR 74499) December 17, 1979

Changes:

Categories of records in the system:

In paragraph one, at the end of the last sentence add the following "Draw Case Code, Conduct and Proficiency Marks, Off Duty Education Bonus Points and Special Duty Bonus Points, Record of Emergency Data, Marine Corps Institute Courses."

MFD00003

SYSTEM NAME:

Joint Uniform Military Pay System/ Manpower Management System (JUMPS/MMS).

SYSTEM LOCATION:

PRIMARY SYSTEM—Marine Corps Central Design and Programming Activity, 1500 East Bannister Road, Kansas City, Missouri 64131: Marine Corps Finance Center, 1500 East Bannister Road, Kansas City, Missouri 64197. DECENTRALIZED SEGMENTS—There are eight Satellite/Command Data Processing Installations (SDPI/CDPI) which maintain files with similar records at the following locations: SDPI 02, Marine Corps Base, Camp Lejeune,

NC 28542; SDPI 03, Marine Corps Base, Camp Pendleton, CA 92055, SDPI 06, FMF Pacific, FPO San Francisco, CA 96610; SDPI 09, Headquarters U.S. Marine Corps, Washington, D.C. 20380; SDPI 11, Marine Corps Recruit Depot, Parris Island, SC 29905; SDPI 15, Marine Corps Recruit Depot, San Diego, CA 92140; CDPI 17, Marine Corps Base, Quantico, VA 22134; SDPI 27, Marine Corps Base, Camp S. D. Butler, FPO Seattle, WA 98773; First Marine Brigade, FPO San Francisco, CA 96615.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All Marine Corps personnel.

CATEGORIES OF RECORDS IN THE SYSTEM:

The JUMPS/MMS automated system of records contains the following fields (data elements and data sets) and sub-fields; Social Security Number and the last, first, and middle initial (key); Name, Member Service Number, Contract Legal Agreement, Duty Limitation, Race/Sex/Ethnic Group, Present Unit Identification, Temporary Reporting Unit Code, Former Unit Identification, Intermediate Unit Identification, Future Unit Identification, Command Data Processing Installation Code, Individual Location, Message Routing Indicator, Pay Entry Base Data, Armed Forces Active Duty Base Date, Date of Enlistment/Acceptance, Date of Original Entry Armed Forces, Date of Birth, Estimated Date of Departure, Estimated Date of Arrival, Date Current Tour Began, Date Detached Last Command, Rotation Tour Date, Date Arrived U.S. Dependents Not Restricted, Date Arrived U.S. Enlistment, Careerist Flag, Contract Extension Data, Expiration of Obligated Service, Security Investigation, Permanent Grade, Incentive Pay, Proficiency Pay, Special Pay, Hostile Fire Pay, Basic Allowance for Subsistence, Basic Allowance for Quarters, Duty Status, Last Processing Cycle Information, Project Duty Status, Preference for Duty, Grade for Which Selected, Citizenship, Combat Service, Former Prisoner of War, Civilian Education, Accession Code (Program Enlisted Under), Military Occupational Specialties, Reserved for Future Use, Religion, Tour Control Factor, Sea or Foreign Duty, Program Element Number, Responsibility Center Number, Marital Status, Ethnic Group, Intermediate Monitored Command Code—Estimated Date of Departure, Special Grade and Date of Rank, Old Reason for Transfer Code, New Reason for Transfer Code, Present Tour Control Factor, Prospective Officers Source Code, Reenlistment Bonus Type, Selective Reenlistment Bonus Zone, Separation Document Type, Composite Score, Armed Services Vocational Aptitude Battery, Deployment Monitored Command Code, Date Dependents Location Began, Visual Audit Field, Date Joined Present Unit, TAD Excess Flag, TAD DPI, Officers School Graduation, Active Duty Officer Base Date, Active Duty Aviation Service Base Date, Accession Code, Future Tour Control Factor, Intended Transfer Date, Permanent Change of Station Code, Reason for Transfer Flag, Advanced Monitored Command Code, Advanced Monitored Command Code—Estimated Date of Arrival, Intermediate Monitored Command Code—Estimated Date of Arrival, Prospective Officers Source Code, Current Source of Entry Code, Home of Record, Prior Key, Days Lost Current Contract, Separation Document Type, Language Proficiency, Language Aptitude Test, Electronic Technician Selection Test (Enlisted Only) Reserve for Expansion, General Military Subjects Test Results, Classification Test, Computed General Technical or General Classification Test, Armed Forces Qualification Test/Army Qualification Test Score (Enlisted Only), Army Qualification Battery Scores, Service Schools, Dependents Information, Aeronautically Designated Officers & Noncommissioned Officers Information, Date Last Tour Combat/Combat Support Area, Optional Narrative Form, Aeronautically Designated Officers & Noncommissioned Officers Information, Date Designated Military Pilot, Separation Data, Service Date (Officer), Lineal Control Number/Precedence Number Present Rank, Separation Data Addendum, Lineal Control Number Precedence Number Permanent Rank, Month Attended Service Academy, Lineal Footnotes, Running Mate, Limited Duty Officer/Warrant Officer Footnotes, Date of Acceptance 1st Commission in the Marine Corps, Date of Rank 1st Commission in the Marine Corps, Date of Rank 1st Commission Limited Duty Officer, Visual Audit, Electronic Data Processing Test Score, Language Aptitude Test Date, Social Security Number Validation Monitor, Last Transfer Processing Information, Temporary Additional Duty Excess Flag, Temporary Additional Duty Data Processing Installation, Graduates Obligation Code, Active Duty Spouse Identification, Fleet Assistance Program Unit Identification, Active Duty Off Service Base Date, Active Duty Officer Aviation Service Base Date, Program Enlisted For, Operational Flying Time, Operational Flying Computation Date, Operational Flying Start Date, Operational Flying Stop Date, Operational Flying Time Base Date, Operational Flying Gate One, Operational Flying Gate Two, Reserved, Platoon Number, Cycle Number, Last Type Transaction Code Touched, Not used at this time, Today's Date, Disbursing Officers Symbol, Command DPI of Parent Reporting Unit Code, Pay Group, Pay Status, Local Disbursing Office Cognizance, Payment Option/Leave and Earning Statement Distribution/Pay Distribution Code, Federal Withholding Tax Data, Leave Account, Wage and Tax Summaries, Dependency Status, Dependency Determination, Basic Pay, Pay Grade, Years in Service, Serviceman's Group Life Insurance Deduction, Federal Income Tax Withholding, Federal Indemnity Compensation Act Tax Withholding, Payments, JUMPS Account Standing, Total Allotment Deductions, Last Update and Extract Date, Savings Deposits, Pay Extraction Flag, Regular Reenlistment Bonus, Variable Reenlistment Bonus, Time Lost, Detention of Pay, Repayment Date, Dislocation Allowance, Inadequate Quarters, Interim Housing Allowance, Indebtedness for Final Settlement, Incentive Pay 1, Proficiency Pay, Sea and Foreign Duty Pay, Diving Pay, Hostile Fire Pay, Subsistence Credit, Basic Allowance For Quarters, Personal Money Allowance, Housing Allowance, Additional Federal Tax Withholding, Subsistence Debits, Court Martial/Nonjudicial Punishment Deductions, Miscellaneous Credits, Miscellaneous Debits, Other Continuing Monthly Deductions, Miscellaneous Leave Data, Retired Serviceman's Family Protection Plan Data, Temporary Lodging Allowance, Clothing Maintenance Data, Basic Allowance for Quarters Debits, Pay Change Flag, Pay Day Data, Miscellaneous Data, Check Mailing Address, Other Services Disbursing Officer Indicator, Reduced Tax, Unassigned, Saved Pay Original Entitlement, Saved Pay Current Entitlement, Tax Exclusion/Nonresident Alien Exempt Taxable Pay, Selective Reenlistment Bonus, Officer Status Change Flag, Aviation Career Incentive Pay, Advance Pay and Allowances, Power of Attorney, Moral Code, Draw Case Code, Conduct and Proficiency Marks, Off Duty Education Bonus Points and Special Duty Bonus Points, Record of Emergency Data, Marine Corps Institute Courses.

The MMS master files consist of a complete magnetic record for each Marine serving on active duty for a period in excess of 30 days. The On Line Manpower System (OLMAN) is a subsystem of MMS. It has the capability

to directly access an extract of the master file. The procedure used to establish the initial computer record and add the individual to the Marine Corps strength is the accession process. The accession of recruits is accomplished through the Recruit Accession Management Subsystem (RAMS). The Commissioning Accession Management Subsystem (CAMS) is designed to access all officer records into JUMPS/MMS. Accession/reaccession of all nonrecruit enlisted records is accomplished through the Headquarters Accession Management Subsystem (HAMS) at Headquarters, U.S. Marine Corps. The Accession Transcription Form (ATF) is an OCR form which contains information extracted from the enlistment contract and transfer/assignment to active duty orders. The ATF is completed and processed to establish the computer record. The Manpower Management Information System (MMIS) consists of models and processes within MMS. These models and processes support manpower planners and programmers to optimize assignments to unaccompanied overseas tours, predict enlisted population by grade and military occupational specialty (MOS) and to test various policies related to unrestricted officer promotion planning.

Some manual files containing substantiating documents and other data relative to each member's JUMPS/MMS record are maintained. These file folders may contain any part of the JUMPS/MMS record and any one or more of the following documents: Military Pay Record, Military Payroll Money List, Military Pay Voucher, Certificate for Performance of Hazardous Duty, Application of Arrears in Pay, Cash Collection Voucher, Authorization/Designation for Emrgency Pay and Allowances, Wage and Tax Statement, Employees Withholding Exemption Certificate (IRS W-4), Employees Withholding Exemption Certificate (IRS W-4E), Notice of Levy, General Accounting Office Notice of Exemption, Dependency Certificate (Wife or Child Under 21 Years), Dependency Certificate (Mother or Father), Dependency Certificate (Unmarried Child over 21 Years), Dependency Application, Clothing Checkage, Statement to Substantiate Payment of Family Separation Allowance, Government Property Checkage Personal Financial Records, Unit Diary, Dependent Travel Record, Allotment/Bond Authorization, Certificate for Cost of Living and/or Housing Allowance, Certificate for Temporary Lodging Allowance, Removal of Mark of Desertion, Field Rations Certificate, Liquidation of Indebtedness, Initial Uniform Allowances for Officers, Additional Uniform Allowance for Officers, Excess Weight-Household Goods Shipment, Hospital Rations Checkage, Excess Expense Involving Movement of House Trailer, Transportation Checkage, Meal Ticket Checkage, Advance Pay, Advance Pay and Allowances, Discharge Gratuity, Combat Arms Bonus, Health Care Coverage, Government Quarters Termination and Assignment, Lump-Sum Leave, Rations Commuted to Private Mess, Reenlistment Bonus, Variable Reenlistment Bonus, Selective Reenlistment Bonus, Sick Misconduct, Prorated Rations, Supplemental Rations, Basic Allowance for Quarters (Own Right).

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Title 10 and 37, U.S. Code Section 5031 and 5201.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

Headquarters, U.S. Marine Corps and Marine Corps commands, activities and organizations—By officials and employees of the Marine Corps in the performance of their assigned duties in matters relating to a Marine's automated personnel and/or pay record.

Department of Defense and its components—By officials and employees of the Department in the performance of their official duties.

The Attorney General of the U.S.—By officials and employees of the Office of the Attorney General in connection with litigation, law enforcement of other matters under the direct jurisdiction of the Department of Justice or as carried out as the legal representative of the Executive Branch agencies.

Courts—By officials of duly established local, state and federal courts as a result of court order pertaining to matters properly within the purview of said court.

Congress of the U.S.—By the Senate or the House of Representatives of the U.S. or any committee or subcommittee thereof, any joint committee of Congress or subcommittee of joint committee on matters within their jurisdiction requiring disclosure of the files.

The Comptroller General of the U.S.—By the Comptroller General or any of his authorized representatives in the course of performance of duties of the General Accounting Office relating to the Marine Corps.

By officials and employees of the American Red Cross and the Navy Relief Society in the performance of their duties. Access will be limited to those portions of the member's record required to effectively assist the member.

Federal, state and local government agencies—By officials and employees of federal, state and local government through official request for information with respect to law enforcement investigatory procedures, criminal prosecution, civil court action and regulatory order.

To provide information to another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States which has been authorized by law to conduct law enforcement activities pursuant to a request that the agency initiate criminal or civil action against an individual on behalf of the U.S. Marine Corps, the Department of the Navy, or the Department of Defense.

To provide information to individuals pursuant to a request for assistance in a criminal or civil action against a member of the U.S. Marine Corps, by the U.S. Marine Corps, the Department of the Navy, or the Department of Defense.

Department of Health, Education and Welfare (DHEW)—Disclosure of the name, rank or grade, and Social Security Account Number of each Marine Corps active duty military member to the Inspector General of DHEW for the specific purpose of comparison with appropriate rolls reflecting recipients of Aid to Families with Dependent Children (AFDC).

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM: STORAGE:

Data is recorded on magnetic records and discs, punch cards, computer printouts, microform, file folders, and other documents.

RETRIEVABILITY:

The data contained in magnetic records can be displayed on cath-ode-ray tubes, it can be computer printed on paper, and it can be converted to microform for information retrieval; the data in the supporting file folders and other manual records is retrieved manually. Computerized and conventional indices are required to retrieve individual records from the system. Normally, all types of records are retrieved by Social Security Number and name.

SAFEGUARDS:

Building management employs security guards: building is locked nights and holidays. Authorized personnel may enter and leave the building during nonworking hours but must sign in and out. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

Access to personal information is limited to authorized personnel with a need-to-know. Access is restricted to specific applications programs, records, and files to which personnel have a specific and recorded need-to-know. On line data sets (both tape and disc) pertaining to personal information are password protected, areas are controlled and access lists are used. The files are also protected at a level appropriate to the type of information being processed.

RETENTION AND DISPOSAL:

Magnetic records are maintained on all Marine Corps personnel while they are in service, and for a period of 4 months after they are separated from the service. Paper and film records are maintained for a period of 10 years after the final transaction. End calendar and fiscal year "snapshots" of the MMS data base are maintained indefinitely in magnetic form at Headquarters, U.S. Marine Corps.

SYSTEM MANAGER(S) AND ADDRESS:

Commandant of the Marine Corps, Headquarters, U.S. Marine Corps Washington, D.C. 20380.

NOTIFICATION PROCEDURE:

Requests from individuals for information concerning pay related matters should be addressed to the Commandant of the Marine Corps (Code FD). Requests from individuals for information concerning personnel matters should be addressed to the Commandant of the Marine Corps (Code MP).

Requesting individual must supply full name and Social Security Number.

The requester may visit the Marine Corps Finance Center, 1500 East Bannister Road, Kansas City, Missouri 64197 to obtain information on whether the system contains records pertaining to him or her.

In order to personally visit the above address and obtain information, individuals must present a military identification card, a driver's license, or other suitable proof of identity.

RECORD ACCESS PROCEDURES:

Information on JUMPS may be obtained from the member's local disbursing officer. Information on MMS may be obtained for the member's immediate commanding officer. Requests for information from persons no longer in service should be signed by the person requesting the information. Dates of service, Social Security Number, and full name of requester should be printed or typed on the request. It should be sent to the Marine Corps Finance Center, 1500 East Bannister Road, Kansas City, Missouri 64197.

CONTESTING RECORD PROCEDURES:

The agency's rules for access to records and for contesting contents and appealing initial determinations by the individual concerned may be obtained from the SYSMANAGER.

RECORD SOURCE CATEGORIES:

Recruiting offices, disbursing offices, administrative offices, and the individual Marine are the principal sources of the information contained in the JUMPS/MMS record for that person.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 80-5420 Filed 2-20-80; 8:45 am]
BILLING CODE 3810-71-M

DEPARTMENT OF ENERGY

Economic Regulatory Administration

Action Taken on Consent Orders

AGENCY: Economic Regulatory Administration.

ACTION: Notice of action taken on consent orders.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) hereby gives Notice that Consent Orders were entered into between the Office of Enforcement, ERA, and the firms listed below during the month of January. These Consent Orders concern prices charged by retail motor gasoline dealers allegedly in excess of the maximum lawful selling price for motor gasoline. The purpose and effect of these Consent Orders is to bring the consenting firms into present compliance with the Mandatory Petroleum Price Regulations and the General Allocation and Price Regulations, and they do not address or limit any liability with respect to the consenting firms' prior compliance or possible violation of the aforementioned regulations. Pursuant to the Consent Orders, the consenting firms agree to the following actions:

1. Reduce prices for each grade of gasoline to no more than the maximum lawful selling price;

2. (a) Post the maximum lawful selling price, or a certification that the current selling price is equal to or less than the maximum allowed, for each grade of gasoline on each pump used to dispense gasoline, facing each direction from which the pumps are generally viewed by customers, in numbers or letters not less than one-half (½) inch high, or (b) post the maximum lawful selling price for each grade of gasoline in a prominent location elsewhere at the retail outlet which is visible to a customer purchasing gasoline in letters not less than four (4) inches high, or (c) post a certification that the current selling price is equal to or less than the maximum allowed in a prominent location elsewhere at the retail outlet which is visible to a customer purchasing gasoline in letters not less than one and one-half (1½) inches high;

3. Properly maintain records required under the aforementioned regulations; and

4. Cease and desist from employing any discriminatory and/or unlawful business practices prohibited by the aforementioned regulations.

For further information regarding these Consent Orders, please contact Leon Snead, Program Manager for Product Retailers, Department of Energy, Economic Regulatory Administration, Enforcement Program Operations, 2000 M Street, NW, Washington, DC 20461, telephone number 202-254-5907.

Firm name, firm address, and audit date

Queenstown Exxon, 3200 Queens Chapel Road, Hyattsville, MD 20783—January 2, 1980.

South Dakota Shell, 5585 South Dakota Ave., Washington, DC 20013—January 2, 1980.

Riverdale Mobil, 5701 Riverdale Road, Riverdale, MD 20840—January 3, 1980.

Brookland Shell, 3702 12th Street, NE., Washington, DC 20017—January 8, 1980.

Beltway Plaza Car Wash, 7906 Cherrywood Lane, Greenbelt, MD 20770— January 10, 1980.

Aspen Hill Amoco, Inc. 13800 Georgia Avenue, Silver Spring, MD 20906—January 17, 1980.

Silver Spring Amoco, 7901 Georgia Avenue, Silver Spring, MD 20910—January 17, 1980.

Dodson's Rockville Texaco, 369 Hungerford Drive, Rockville, MD 20850—January 18, 1980.

Annandale Shell, 7413 Little River Turnpike, Annandale, VA 22003—January 22, 1980.

Sunderland Shell, 7131 Columbia Pike, Annandale, VA 22003—January 23, 1980.

Fred's Service Center, 801 Hungerford Drive, Rockville, MD 20850—January 29, 1980.

Issued in Washington, DC on the 13th day of February, 1980.

Wayne W. Porter,

Acting Director, Enforcement Program Operations Division, Economic Regulatory Administration.

[FR Doc. 80-5327 Filed 2-20-80; 8:45 am]

BILLING CODE 6450-01-M

Olin Corp.; Proposed Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of proposed consent order and opportunity for comment.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces a proposed Consent Order and provides an opportunity for public comment on the proposed Consent Order and on potential claims against the refunds deposited in an escrow account established pursuant to the Consent Order.

DATE: February 12, 1980. Comments by March 24, 1980.

ADDRESS: Send comments to Charles L. Croxton, Program Manager for Natural Gas Liquid Processors, Office of Enforcement, Economic Regulatory Administration, 2000 M Street, N.W., Room 5108, Washington, D.C. 20461, telephone (202) 254-5907.

FOR FURTHER INFORMATION CONTACT: Charles Croxton, Program Manager for Natural Gas Liquid Processors, Office of Enforcement, Economic Regulatory Administration, 2000 M Street, N.W., Room 5108, Washington, D.C. 20461, telephone (202) 254-5907.

SUPPLEMENTARY INFORMATION: On January 31, 1980, the Office of Enforcement of the ERA executed a proposed Consent Order with Olin Corporation of Stamford, Connecticut. Under 10 CFR 205.199J(b), a proposed Consent Order, which involves a sum of $500,000 or more in the aggregate, excluding penalties and interest, becomes effective only after the DOE has received comments with respect to the proposed Consent Order. Although the ERA has signed and tentatively accepted the proposed Consent Order, the ERA may, after consideration of the comments it receives, withdraw its acceptance and, if appropriate, attempt to negotiate an alternative Consent Order.

I. The Consent Order

Olin Corporation, with its home office located in Stamford, Connecticut, is engaged in the fractionation and sale of NGL products and thus, is or has been subject to the provisions of the Cost of Living Council (CLC) Phase IV Price Regulations, 6 CFR 150, and the DOE Petroleum Allocation and Price Regulations at 10 CFR, Parts 210, 211, and 212. To resolve certain civil actions which could be brought by the Office of Enforcement of the Economic Regulatory Administration as a result of its audit of Olin, the ERA Office of Enforcement and Olin entered into a Consent Order, the significant terms of which are as follows:

1. The Office of Enforcement has examined Olin's books and records and reviewed all pertinent matters relating to Olin's compliance with the CLC and DOE petroleum price regulations in effect during the period from September 1, 1973 through December 31, 1978. All civil actions that could be brought with regard to Olin's compliance with the DOE petroleum price regulations and prices charged by Olin in sales of NGL products during the period September 1, 1973 through December 31, 1978 are resolved by this Consent Order.

2. Olin deposited the sum of $3,546,278, including interest (the refund), as specified in the Consent Order, in an interest-bearing escrow account on November 1, 1979. The refund amount and accrued interest from the escrow account will be conveyed to the United States Department of Energy within ten (10) days after the Consent Order becomes effective.

3. Olin will pay, by certified check made payable to the U.S. Department of Energy, the sum of $7,500 in compromise of civil penalties that could be sought in connection with Olin's failure to file appropriate reports during the period covered by the audit. Payment will be made within ten days of the effective date of this Consent Order.

4. Olin will submit all required EIA-64 forms within sixty days of the effective date of the Consent Order.

5. Execution of the Consent Order constitutes neither an admission by Olin nor a finding by DOE that Olin has violated any statutes or applicable regulations of the Cost of Living Council, the Federal Energy Office, the Federal Energy Administration or the Department of Energy.

6. The provisions of 10 CFR 205.199J, including the publication of this Notice, are applicable to the Consent Order.

II. Disposition of Refunded Overcharges

In this Consent Order, Olin agrees to refund, in full settlement of any civil liability with respect to actions which might be brought by the ERA Office of Enforcement, arising out of the transactions specified in I.1. above, the refund amount of $3,546,278 plus interest accrued on the escrow account established by Olin since November 1, 1979, within 10 days after the Consent Order becomes effective. The refund amount, including the accrued interest, will be in the form of a certified check made payable to the United States Department of Energy and will be delivered to the Assistant Administrator for Enforcement, ERA. These funds will remain in a suitable account pending the determination of their proper disposition.

The DOE intends to distribute the refund amounts in a just and equitable manner in accordance with applicable laws and regulations. Accordingly, distribution of such refunded overcharge requires that only those "persons" (as defined at 10 CFR 205.2) who actually suffered a loss as a result of the transactions described in the Consent Order receive appropriate refunds. Because of the petroleum industry's complex marketing system, overcharges may have been passed through as higher prices to subsequent purchasers. In fact, the adverse effects of the overcharges may have become so diffused that it is a practical impossibility to identify specific, adversely affected persons, in which case disposition of the refunds will be made in the general public interest by an appropriate means such as payment to the Treasury of the United States pursuant to 10 CFR 205.199I(a).

III. Submission of Written Comments

A. *Potential Claimant:* Interested persons who believe that they have a claim to all or a portion of the refund amount should provide written notification to the ERA at this time. Proof of claims is not now being required. Written notification to the ERA at this time is requested primarily for the purpose of identifying valid potential claims to the refund amount. After potential claims are identified, procedures for the making of proof of claims may be established. Failure by a person to provide written notification of a potential claim within the comment period for this notice may result in the DOE irrevocably disbursing the funds to other claimants.

Other Comments: The ERA invites interested persons to comment on the terms, conditions, or procedural aspects of this Consent Order. You should submit your comments or written notification of a claim on or before March 24, 1980 to Charles L. Croxton, Program Manager for Natural Gas Liquid Processors, Office of Enforcement, Regulatory Administration, 2000 M Street, N.W., Room 5108, Washington, D.C. 20461,

telephone (202) 254–5907. You may obtain a free copy of this Consent Order by writing to the same address.

You should identify your comments by written notification of a claim on the outside of your envelope and on the documents you submit with the designation, "Comments on Olin Consent Order." We will consider all comments we receive on or before March 24, 1980. You should identify any information or data which, in your opinion, is confidential and submit it in accordance with the procedures in 10 CFR 205(f).

Issued in Washington, D.C., on the 12th day of February, 1980.

Robert G. Heiss,

Assistant General Counsel for Enforcement.

Wayne Porter,

Deputy Director, Enforcement Program Operations Division, Economic Regulatory Administration.

[FR Doc. 80-5328 Filed 2-20-80; 8:45 am]

BILLING CODE 6450-01-M

Belvia Stokely; Proposed Remedial Order

Pursuant to 10 CFR Section 205.192(c), the Economic Regulatory Administration (ERA) of the Department of Energy (DOE) hereby gives notice of a Proposed Remedial Order which was issued to Belvia Stokely, Chantilly, Virginia, 22021, on November 15, 1979.

This Proposed Remedial Order charges Belvia Stokely with selling one grade of gasoline in excess of the Maximum Lawful Selling Price in violation of 10 CFR Section 212.93. It was determined that Belvia Stokely violated the Federal Energy Pricing Guidelines by selling above the Maximum Lawful Selling Price in the amount of 2.7¢ per gallon for Regular Unleaded. Additionally, Belvia Stokely failed to properly post the Maximum Lawful Selling Price for each grade of gasoline as required by 10 CFR Section 212.129.

Pursuant to 10 CFR Section 205.192, Belvia Stokely is required by the Proposed Remedial Order to reduce its price at the pump to the maximum lawful selling price for one grade to be in compliance with the Federal Energy pricing regulations.

A copy of the Proposed Remedial Order, with confidential information deleted, may be obtained from James C. Easterday, District Manager of Enforcement, Southeast District, Office of Enforcement, 1655 Peachtree Street, N. E., Atlanta, Georgia 30309, Phone: (404) 881–2661. On or before March 7, 1980, any aggrieved person may file a Notice of Objection with the Office of Hearings and Appeals, 2000 M Street, N.W., Washington, D. C. 20461, in accordance with 10 CFR 205.193.

Issued in Atlanta, Georgia, on the 4th day of February 1980.

James C. Easterday,

District Manager.

Approved for signature.

Lee B. Beitchman,

Chief Enforcement Counsel.

[FR Doc. 80-5329 Filed 2-20-80; 8:45 am]

BILLING CODE 6450-01-M

Delbert Frye; Proposed Remedial Order

Pursuant to 10 CFR Section 205.192(c), the Economic Regulatory Administation (ERA) of the Department of Energy (DOE) hereby gives notice of a Proposed Remedial Order which was issued to Delbert Frye, Winchester, Virginia, 22601, on November 20, 1979.

This Proposed Remedial Order charges Delbert Frye with selling two grades of gasoline in excess of the Maximum Lawful Selling Price in violation of 10 CFR Section 212.93. It was determined that Delbert Frye violated the Federal Energy Pricing Guidelines by selling above the Maximum Lawful Selling Price in the amounts of 4.0¢ per gallon for Regular Leaded and 0.4¢ for Regular Unleaded. Additionally, Delbert Frye failed to properly post the Maximum Lawful Selling Price for each grade of gasoline as required by 10 CFR Section 212.129.

Pursuant to 10 CFR Section 205.192, Delbert Frye is required by the Proposed Remedial Order to reduce its prices at the pump to the Maximum Lawful Selling Price for each grade of gasoline to be in compliance with the Federal Energy pricing regulations.

A copy of the Proposed Remedial Order, with confidential information deleted, may be obtained from James C. Easterday, District Manager of Enforcement, Southeast District, Office of Enforcement, 1655 Peachtree Street, N.E., Atlanta, Georgia 30309, Phone: (404) 881–2661. On or before March 7, 1980, any aggrieved person may file a Notice of Objection with the Office of Hearings and Appeals, 2000 M Street, N.W., Washington, D.C. 20461 in accordance with 10 CFR Section 205.193.

Issued in Atlanta, Georgia, on the 4th day of February 1980.

James C. Easterday,

District Manager.

Approved for signature.

Lee B. Beitchman,

Chief Enforcement Counsel.

[FR Doc. 80-5331 Filed 2-20-80; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. ERA-TA-79-06]

Gary Energy Corp.; Issuance of Final Decision and Order

On December 21, 1979, we issued a Proposed Decision and Order to the Gary Energy Corporation (Gary) that would permit, pursuant to the provisions of 10 CFR 212.78, market prices for the incremental crude oil produced from Gary's Microemulsion Project in the Bell Creek Field in Montana. The Proposed Decision and Order was published in the **Federal Register** on January 4, 1980, (45 FR 1133). One comment was received with respect to that Proposed Decision and Order. Gary noted a typographical error in Ordering Paragraph 2 and requested a change in the section of the regulation cited in Ordering Paragraph 4. We have adopted the technical changes requested and have, accordingly, issued a Decision and Order that permits market prices for incremental crude oil from the Bell Creek Field Microemulsion Project as stated in the Proposed Decision and Order.

A copy of the Decision and Order is available in the Public Docket Room, Room B–120, 2000 M Street, N.W., Washington, D.C., between 1:00 p.m. and 5:00 p.m., Monday through Friday and in the Department of Energy Reading Room, Room GA–152, James Forrestal Building, 1000 Independence Avenue, N.W., Washington, D.C. between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

Issued in Washington, D.C., on February 12, 1980.

Doris J. Dewton,

Assistant Administrator, Office of Petroleum Operations, Economic Regulatory Administration.

[FR Doc. 80-5326 Filed 2-20-80; 8:45 am]

BILLING CODE 6450-01-M

John Franks and Don H. Duggan; Proposed Remedial Order

Pursuant to 10 CFR 205.192(c), the Economic Regulatory Administration (ERA) of the Department of Energy hereby gives notice of a Proposed Remedial Order which was issued to John Franks and Don H. Duggan. This Proposed Remedial Order charges Franks and Duggan with pricing violations in the amounts of $169,988.29 and $84,989.05, respectively, in

connection with the sale of crude oil and condensate at prices in excess of those permitted by 10 CFR 212, Subpart D during the time period December 1, 1973 through December 31, 1977, in the State of Louisiana.

A copy of the Proposed Remedial Order, with confidential information deleted, may be obtained from Wayne I. Tucker, District Manager, Southwest District Enforcement, Department of Energy, Economic Regulatory Administration, P.O. Box 35228, Dallas, Texas 75235, or by calling (214) 767-7745. On or before March 7, 1980, any aggrieved person may file a Notice of Objection with the Office of Hearings and Appeals, 2000 M Street, N.W., Washington, D.C. 20461, in accordance with 10 CFR 205.193.

Issued in Dallas, Texas, on the 11th day of February, 1980.

Wayne I. Tucker,

District Manager, Southwest District Enforcement.

[FR Doc. 80-5330 Filed 2-20-80; 8:45 am]

BILLING CODE 6450-01-M

Action Taken on Consent Orders

AGENCY: Economic Regulatory Administration.

ACTION: Notice of Action Taken on Consent Orders.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) hereby gives Notice that Consent Orders were entered into between the Office of Enforcement, ERA, and the firms listed below during the month of January 1980. The Consent Orders represent resolutions of outstanding compliance investigations or proceedings by the DOE and the firms which involve a sum of less than $500,000 in the aggregate, excluding penalties and interest. For Consent Orders involving sums of $500,000 or more, Notice will be separately published in the **Federal Register.** These Consent Orders are concerned exclusively with payment of the refunded amounts to injured parties for alleged overcharges made by the specified companies during the time periods indicated below through direct refunds or rollbacks of prices.

For further information regarding these Consent Orders, please contact Kenneth E. Merica, District Manager of Enforcement, P.O. Box 26247 Belmar Branch, Lakewood, Colo., 80226, telephone number 303-234-3195.

Firm name and address	Refund amount	Product	Period covered	Recipients of refund
H & K Oil Co., Yankton, S. Dak.....	$24,000	No. 2 heating oil.	Nov. 1, 1973 through Dec. 31, 1974.	University of South Dakota, Vermillion, S. Dak.

Issued in Lakewood, Colo., on the 7th day of February 1980.

Kenneth E. Merica,

Manager, Rocky Mountain District.

Concurrence:

Chas. Dewey,

Regional Counsel.

[FR Doc. 80-5404 Filed 2-20-80; 8:45 am]

BILLING CODE 6450-01-M

Kansas-Nebraska Natural Gas Co., Inc., Through its Subsidiaries Western Gas Corp. and Excelsior Oil Corp.; Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of action taken and opportunity for comment on Consent Order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces action taken to execute a Consent Order and provides an opportunity for public comment on the Consent Order and on potential claims against the refunds deposited in an escrow account established pursuant to the Consent Order.

DATE: February 1, 1980. Comments by: March 24, 1980.

ADDRESS: Send to Alan L. Wehmeyer, Chief, Crude Products Program Management Branch, 324 East 11th Street, Kansas City, Missouri 64106.

FOR FURTHER INFORMATION CONTACT: Alan L. Wehmeyer, Chief, Crude Products Management Branch, 324 East 11th Street, Kansas City, Missouri 64106. Phone (816) 374-5932.

SUPPLEMENTARY INFORMATION: On February 1, 1980, the Office of Enforcement of the ERA executed a Consent Order with Kansas-Nebraska Natural Gas Company, Inc. ("Kansas-Nebraska") through its subsidiaries Western Gas Corporation ("Western") and Excelsior Oil Corporation ("Excelsior") of Hastings, Nebraska. Under 10 CFR § 205.199J(b), a Consent Order which involves a sum of less than $500,000 in the aggregate, excluding penalties and interest, becomes effective upon its execution.

I. The Consent Order

Western and Excelsior, with their home offices located in Hastings, Nebraska, are firms engaged in the production and sale of condensate, and are subject to the Mandatory Petroleum and Allocation Regulations at 10 CFR, Parts 210, 211, and 212. To resolve certain civil actions which could be brought by the Office of Enforcement of the Economic Regulatory Administration as a result of its audit of Western and Excelsior the Office of Enforcement, ERA, and Kansas-Nebraska through Western and Excelsior entered into a Consent Order, the significant terms of which are as follows:

1. This Consent Order covers the production and sales of condensate by Western and Excelsior during the period September 1, 1973 through September 30, 1979, recovered from a gas pipeline and at the inlet side of a gas processing plant.

2. The reason for the overcharges was Western and Excelsior sold condensate recovered at various installations at prices in excess of the applicable ceiling price, as defined at 6 CFR § 150,354(c) and at 10 CFR § 210.32.

3. It is understood that Kansas-Nebraska does not, by entering into the Consent Order, admit that it has violated any regulations of the DOE.

4. The provisions of 10 CFR § 205.199J, including the publication of this Notice, are applicable to the Consent Order.

II. Disposition of Refunded Overcharges

In this Consent Order, Kansas-Nebraska through Western and Excelsior agrees to refund, in full settlement of any civil liability with respect to actions which might be brought by the Office of Enforcement, ERA, arising out of the transactions specified in I.1. above, the sum of $406,578.25, which includes interest as specified in paragraph 1 of the Consent Order. The refund shall be made within 30 days after the Consent Order becomes effective. Such refund will be made to the United States Department of Energy and will be delivered to the Assistant Administrator for Enforcement, ERA. These funds will remain in a suitable account pending the determination of their proper disposition.

The DOE intends to distribute the refund amounts in a just and equitable manner in accordance with applicable laws and regulations. Accordingly, distribution of such refunded overcharges requires that only those "persons" (as defined at 10 CFR § 205.2) who actually suffered a loss as a result of the transactions described in the Consent Order receive appropriate refunds. Because of the petroleum industry's complex marketing system, it is likely that overcharges have either been passed through as higher prices to subsequent purchasers or offset through devices such as the Old Oil Allocation (Entitlements) Program, 10 CFR § 211.67. In fact, the adverse effects of the overcharges may have become so diffused that it is a practical impossibility to identify specific, adversely affected persons, in which case disposition of the refunds will be made in the general public interest by an appropriate means such as payment to the Treasury of the United States pursuant to 10 CFR § 205.199I(a).

III. Submission of Written Comments

A. *Potential Claimants:* Interested persons who believe that they have a claim to all or a portion of the refund amount should provide written notification of the claim to the ERA at this time. Proof of claims is not now being required. Written notification to the ERA at this time is requested primarily for the purpose of identifying valid potential claims to the refund amount. After potential claims are identified, procedures for the making of proof of claims may be established. Failure by a person to provide written notification of a potential claim within the comment period for this Notice may result in the DOE irrevocably disbursing the funds to other claimants or to the general public interest.

B. *Other Comments:* The ERA invites interested persons to comment on the terms, conditions, or procedural aspects of this Consent Order.

You should send your comments or written notification of a claim to Alan L. Wehmeyer, Chief, Crude Products Program Management Branch, Central Enforcement District, 324 East 11th Street, Kansas City, Missouri 64106. You may obtain a free copy of this Consent Order by writing to the same address or by calling (816) 374-5932.

You should identify your comments or written notification of a claim on the outside of your envelope and on the documents you submit with the designation, "Comments on Kansas-Nebraska Natural Gas Company, Inc. Consent Order." We will consider all comments we receive by 4:30 p.m., local time on March 24, 1980. You should identify any information or data which, in your opinion, is confidential and submit it in accordance with the procedures at 10 CFR § 205.9(f).

Issued in Kansas City, Missouri on the 11th day of February, 1980.

William D. Miller,

Manager, Central Enforcement District, Economic Regulatory Administration.

[FR Doc. 80-5405 Filed 2-20-80; 8:45 am]

BILLING CODE 6450-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA-613-DR]

Hawaii; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency.

ACTION: Notice.

SUMMARY: This is a Notice of the Presidential declaration of a major disaster for the State of Hawaii (FEMA-613-DR), dated February 6, 1980, and related determinations.

DATED: February 6, 1980.

FOR FURTHER INFORMATION CONTACT: Sewall H. E. Johnson, Disaster Response and Recovery, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 634-7825.

NOTICE: Pursuant to the authority vested in the Director of the Federal Emergency Management Agency by the President under Executive Order 12148 effective July 15, 1979, and delegated to me by the Director under Federal Emergency Management Agency Delegation of Authority, and by virtue of the Act of May 22, 1974, entitled "Disaster Relief Act of 1974" (88 Stat. 143); notice is hereby given that, in a letter of February 6, 1980, the President declared a major disaster as follows:

I have determined that the damage in certain areas of the State of Hawaii resulting from severe storms, high surf and flooding during the period January 7-16, 1980, is of sufficient severity and magnitude to warrant a major-disaster declaration under Public Law 93-288. I therefore declare that such a major disaster exists in the State of Hawaii.

The time period prescribed for the implementation of Section 313(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, shall be for a period not to exceed six months after the date of this declaration.

Notice is hereby given that pursuant to the authority vested in the Director of Federal Emergency Management Agency under Executive Order 12148, and delegated to me by the Director under Federal Emergency Management Agency Delegation of Authority, I hereby appoint Francis S. Manda of the Federal Emergency Management Agency to act as the Federal Coordinating Officer for this declared major disaster.

I do hereby determine the following area of the State of Hawaii to have been affected adversely by this declared major disaster.

The following County for Public Assistance only:

Maui.

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance)

William H. Wilcox,

Associate Director, Disaster Response and Recovery, Federal Emergency Management Agency.

[FR Doc. 80-5342 Filed 2-20-80; 8:45 am]

BILLING CODE 6718-02-M

GENERAL ACCOUNTING OFFICE

Regulatory Reports Review; Receipt of Report Proposals

The following requests for clearance of reports intended for use in collecting information from the public were received by the Regulatory Reports Review Staff, GAO, on February 12, 1980 (CAB), and February 13, 1980 (ICC). See 44 U.S.C. 3512 (c) and (d). The purpose of publishing this notice in the **Federal Register** is to inform the public of such receipts.

The notice includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Written comments on the proposed CAB and ICC requests are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed requests, comments (in triplicate) must be received on or before March 10, 1980, and should be addressed to Mr. John M. Lovelady, Assistant Director, Regulatory Reports Review, United States General Accounting Office, Room 5106, 441 G Street, NW, Washington, DC 20548.

Further information may be obtained from Patsy J. Stuart of the Regulatory Reports Review Staff, 202-275-3532.

Civil Aeronautics Board

The CAB requests an extension without change clearance of Form 433, Foreign Air Carrier Application for

Authorization for Off-Route Charter. This form is used by foreign carriers to apply for off-route and wet-lease authority pursuant to Parts 212 and 214 of the Board's Economic Regulations. The CAB estimates reporting burden will average one-half hour per application and that respondents will number approximately 26 foreign air carriers.

The CAB requests an extension without change clearance of Part 249, Preservation of Air Carrier Accounts, Records, and Memoranda. This regulation prescribes the record-retention requirements for approximately 423 U.S. certificated air carriers, foreign air carriers, and tour and charter operators who conduct certain types of charter flights. Retention of the records for the periods prescribed in Part 249 is mandatory under the Federal Aviation Act of 1958, as amended. The CAB estimates that no significant burden is involved in the record retention requirements in Part 249 since the records "would be maintained by the respondents under good business management and to meet the requirements of other agencies having control over the respondents, such as IRS."

Interstae Commerce Commission

The ICC requests clearance of revised Form M-3, Annual Financial Report for Class III Common and Contract Motor Carriers of Property, required to be filed by all carriers having annual carrier operating revenues (including interstate and intrastate) of less than $1 million pursuant to order of the Interstate Commerce Commission, 49 CFR 1249.4. The form is revised to conform with the Commission's decision of December 31, 1979, in Docket No. 37211, Revision to Annual Report Form M-3. Form M-3 has been significantly reduced and redesigned. The revised M-3 will be a single-page report. It will require disclosure of (1) the type of operation, (2) the total assets, liabilities, revenues and expenses, (3) a short analysis of revenue equipment owned and leased (categorized by trucks, tractors, semi-trailers and full trailers), and (4) certification. The ICC estimates that respondents will number approximately 12,900 carriers and that reporting burden for each carrier will average 30 minutes per annual report. Reports are mandatory.

Norman F. Heyl,

Regulatory Reports Review Officer.

[FR Doc. 80-5358 Filed 2-20-80; 8:45 am]

BILLING CODE 1610-01-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institutes of Health

Proposal to Consolidate Leased Office Activities, Montgomery Co., Md.; Finding of No Significant Impact

AGENCY: National Institutes of Health, HEW.

ACTION: Proposal to Consolidate Leased Office Activities, Montgomery County, Maryland; Finding of No Significant Impact.

SUMMARY: Pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969; the Council of Environmental Quality Regulations for Implementing the Procedural Provisions of The National Environmental Policy Act (40 CFR Parts 1500-1508), the National Institutes of Health (NIH), U.S. Public Health Service, Department of Health, Education and Welfare, has conducted an environmental assessment on a proposal to consolidate leased office activities of the National Institutes of Health in Montgomery County, Maryland.

The environmental assessment of this federal action indicates this project will not cause significant impacts to the environment. For this reason, the National Institutes of Health Agency Environmental Officer, Dr. R. G. Wanner, gives notice that a Finding of No Significant Impact has been prepared and has determined that the preparation and review of an environmental impact statement are not needed for this proposal.

The project concerns the relocation and expansion of office and support activities now conducted by NIH in four rental buildings in Montgomery County and at the NIH campus in Bethesda, Maryland, to a single leased office facility in Montgomery County. The new facility is to be located along the METRO Subway line directionally toward the cities of Rockville and Gaithersburg from Bethesda. The facility will be located within walking distance of a METRO Subway station.

The leased facility is proposed to contain 700,000 net square feet of space and will be occupied by approximately 3,500 NIH employees. Projected occupancy date is 1983.

The Finding of No Significant Impact, and the Environmental Assessment which lead NIH to that conclusion, have been distributed for informational purposes to certain Federal, State, local governmental agencies, regional and local planning organizations and public interest groups.

FOR FURTHER INFORMATION CONTACT: Donald W. Mantay, Chief, Environmental Protection Branch, Division of Safety, National Institutes of Health, Building 13, Room 2E47, 9000 Rockville Pike, Bethesda, Maryland 20205; 301/496-3537.

February 14, 1980.

Donald S. Fredrickson,

Director, National Institutes of Health.

[FR Doc. 80-5345 Filed 2-20-80; 8:45 am]

BILLING CODE 4110-08-M

Office of Education

Desegregation of Public Education; Closing Date for Noncompeting Continuation Projects Applications

AGENCY: Office of Education, HEW.

ACTION: Notice of Closing Date for Noncompeting Continuation Projects—Desegregation Assistance Centers.

SUMMARY: Applications are invited for noncompeting continuation projects under the Desegregation Assistance Center program for desegregation of public education.

SUPPLEMENTARY INFORMATION: Authority for this program is contained in section 403 of Title IV of the Civil Rights Act of 1964, as amended. (42 U.S.C. 2000c-2)

Present recipients of awards for race, sex, and national origin desegregation assistance centers are eligible to apply for the continuation of those awards. Under 45 CFR 180.38(c), the Commissioner of Education is authorized to approve the continuation of an existing Desegregation Assistance Center award if the recipient of that award "has complied with the terms of the award, has provided satisfactory assistance, and continues to show promise of success in providing that assistance".

The purpose of these awards is to provide technical assistance (including training) in the preparation, adoption, and implementation of plans for race, sex, and national origin desegregation. This includes assistance in solving educational problems resulting from that desegregation.

Closing Date for Transmittal of Applications: To be assured of consideration for finding, an application for a noncompeting award should be mailed or hand delivered by March 7, 1980.

If the application is late, the Office of Education may lack sufficient time to review it with other noncompeting continuation applications and may decline to accept it.

Applications Delivered by Mail: An application sent by mail should be addressed to the U.S. Office of Education, Application Control Center, Attention: 13.405D Desegregation Assistance Centers, Washington, D.C. 20202.

An applicant should show proof of mailing consisting of one of the following:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other evidence acceptable to the U.S. Commissioner of Education.

If an application is sent through the U.S. Postal Service, the Commissioner does not accept either of the following as proof of mailing: (1) A private metered postmark, or (2) a mail receipt that is not dated by the U.S. Postal Service.

An applicant should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an applicant should check with its local post office.

An applicant is encouraged to use registered or at least first class mail.

Applications Delivered by Hand: An application that is delivered by hand should be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building 3, 7th and D Streets, S.W., Washington, D.C. The Application Control Center will accept hand-delivered applications between 8:00 a.m. and 4:30 p.m. (Washington, D.C. time) daily, except Saturdays, Sundays and Federal holidays.

Available Funds: The total appropriation for Title IV for FY 1980 is $45,675,000. Of that amount, approximately $15,975,000 is available for race, sex, and national origin Desegregation Assistance Center awards.

Application Forms: Application forms and program information packages may be obtained by writing to the Division of Technical Assistance, Equal Educational Opportunity Programs, U.S. Office of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

An application must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information package.

Applicable Regulations: Regulations applicable to this program include the following:

(a) Regulations governing programs under Title IV of the Civil Rights Act of 1964 (45 CFR Part 180);

(b) Office of Education general provisions regulations (45 CFR Parts 100 and 100a).

Note.—The proposed Education Division General Administrative Regulations (EDGAR) were published in the **Federal Register** on May 4, 1979 (F.R. 26298). When EDGAR becomes effective, it will supersede the General Provisions Regulations for Office of Education Programs.

Further Information: For furhter information contact Dr. Robert Farning, Acting Director, Division of Technical Assistance, EEOP, U.S. Office of Education (Room 2181–J, FOB–6), 400 Maryland Avenue, S.W., Washington, D.C. 20202, Telephone: (202) 245–8840.

(42 U.S.C. 2000c–2)

(Catalog of Federal Domestic Assistance No. 13.405, Civil Rights Technical Assistance and Training Programs)

Dated: February 14, 1980.

William L. Smith,

U.S. Commissioner of Education.

[FR Doc. 80–5343 Filed 2–20–80; 8:45 am]

BILLING CODE 4110–02–M

National Advisory Council on Vocational Education; Meeting of Technical Assistance Committee

AGENCY: National Advisory Council on Vocational Education.

ACTION: Notice of public meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the Technical Assistance Committee of the National Advisory Council on Vocational Education. It also describes the functions of the Council. Notice of these meetings is required under the Federal Advisory Committee Act, (5 U.S. Code, Appendix I Section 10(a)(2)). This document is intended to notify the general public of its opportunity to attend.

DATE: March 14, 1980.

ADDRESS: San Franciscan Hotel, 1231 Market Street, San Francisco, California, the Fisherman's Wharf Room, 1:30–4:30 p.m.

The National Advisory Council on Vocational Education is established under Section 104 of the Vocational Education Amendments of 1968, Pub. L. 90–576. The Council is directed to:

(A) Advise the President, the Congress, and the Commissioner concerning the administration of, preparation of general regulations for, and operation of, vocational education programs supported with assistance under this title;

(B) Review the administration and operation of vocational education programs under this title, including the effectiveness of such programs in meeting the purposes for which they are established and operated, make recommendations with respect thereto, and make annual reports of its findings and recommendations (including recommendations for changes in the provisions of this title) to the Secretary for transmittal to the Congress; and

(C) Conduct independent evaluations of programs carried out under this title and publish and distribute the results thereof.

On March 14, 1980, the National Advisory Council on Vocational Education's Technical Assistance Committee will meet in open session from 1:30 to 4:30 P.M. in the Fisherman's Wharf Room of the San Franciscan Hotel, 1231 Market Street, San Francisco, California. The following agenda will be included in this meeting:

1. Review results of NACVE Questionnaire to SACVEs re Management Evaluation Review for Compliance and Quality (MERC/Q).
2. Review comments of NACVE staff/Members who have participated in MERC/Q visits.
3. Review Bureau of Occupational and Adult Education comments on NACVE role in MERC/Q process.
4. Discuss/decide upon policy options to present to Council on March 28, 1980.

Records shall be kept of these proceedings and shall be available for public inspection at the office of the National Advisory Council on Vocational Education, located at 425—13th Street, NW, Suite 412, Washington, DC 20004. For further information call Virginia Solt at (202) 376–8873.

Signed at Washington, DC, on February 15, 1980

Raymond C. Parrott,

Executive Director, National Advisory Council on Vocational Education.

[FR Doc. 80–5346 Filed 2–20–80; 8:45 am]

BILLING CODE 4110–02–M

National Demonstation Projects, Upward Bound, and Special Services for Disadvantaged Students; Extension of Closing Dates for Transmittal of Applications for National Demonstration Projects for Fiscal Year 1980

Notice is given that the March 14, 1980, deadline for transmittal of applications for the National Demonstration Projects under Upward Bound and Special Services for Disadvantaged Students is extended to May 30, 1980. This Notice was originally

published in the **Federal Register** on October 24, 1979.

The October Notice indicated that concept papers which would provide guidance for prospective applicants would be available by January 7, 1980. However, the concept papers will not be available until late March, 1980. Because of the importance of the concept papers to ensure receipt of relevant and commendable applications, this extension has been approved to allow applicants additional time for preparation.

Authority for these programs is contained in section 417B of the Higher Education Act of 1965, as amended. (20 U.S.C. 1070d–1)

Under the Special Services program, institutions of higher education and combinations of such institutions are eligible to receive awards. Similarly, under the Upward Bound program, institutions of higher education, combinations of institutions of higher education, public and private agencies and organizations (including professional and scholarly associations), and, in exceptional cases, secondary schools and secondary vocational schools are eligible to receive awards.

The Upward Bound National Demonstration projects will differ from the traditional Upward Bound projects in that the participants will be low-income high school youths who have an exceptional potential or demonstrated aptitude to pursue careers requiring a proficiency in natural and applied sciences.

The Special Services National Demonstration projects will differ from the traditional Special Services Projects in that projects will institutionalize the supportive services provided to participants by utilizing faculty members as mentors to provide academic, career, and personal guidance and counseling. The primary focus will be to prepare and assist disadvantaged students to enter graduate and professional schools.

The Commissioner strongly encourages the submission of applications for Upward Bound National Demonstration projects that (1) provide an 8-week summer residential program with a special emphasis in a particular academic discipline in which disadvantaged persons are underrepresented and (2) prepare qualified youths from low-income families for programs of post-secondary education in those disciplines.

The Commissioner also strongly encourages the submission of applications for Special Services National Demonstration projects that provide encouragement to and preparation of juniors and seniors to enable them to enter graduate and professional schools to pursue and complete programs of studies in those areas in which disadvantaged persons, particularly minorities, are underrepresented.

The programs of study in which minorities and women are underrepresented include but are not limited to:

Architecture; Biological Science, Computer Science; Dentistry; Engineering; Law; Mathematics; Medicine; Optometry; Osteophatic Medicine; Pharmacy Sciences; Podiatry; Veterinary Medicine.

Closing Date for Transmittal of Applications: Applications for new awards must be mailed or hand-delivered by May 30, 1980.

Applications Delivered by Mail: An application sent by mail must be addressed to the U.S. Office of Education, Application Control Center, Attention: 13.482 D (For Special Services for Disadvantaged Students) or 13.492 D (For Upward Bound), Washington, D.C. 20202.

An applicant must show proof of mailing consisting of one of the following:

(1) A legible U.S. Postal Service dated postmark:

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof of mailing acceptable to the U.S. Commissioner of Education.

If an application is sent through the U.S. Postal Service, the Commissioner does not accept either of the following as proof of mailing: (1) a private metered postmark, or (2) a mail receipt that is not dated by the U.S. Postal Service.

An applicant should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an applicant should check with its local post office.

An applicant is encouraged to use registered or at least first-class mail. Each late applicant will be notified that its application will not be considered.

Applications Delivered by Hand: An application that is hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building 3, 7th and D Streets, SW., Washington, D.C.

The Application Control Center will accept hand-delivered applications between 8:00 a.m. and 4:30 p.m. (Washington, D.C. time) daily, except Saturdays, Sundays, or Federal holidays.

An application that is hand-delivered will not be accepted after 4:30 p.m. on the closing date.

Program Information: All applications for fiscal year 1980 funds will be treated as new applications. Successful applications will receive up to two (2) year project period grants.

The Office of Education may not fund an applicant for a period of time longer than is requested by the applicant in the application. Applicants requesting two years of funding must submit a detailed work program and budget for the first year and an outline of the work program and a budget summary for the second year.

The Commissioner approves requests for the second year if:

1. The need continues to exist for the services provided by the project;

2. Satisfactory progress has been made in implementing the approved work plan and in achieving the project's goals and objectives;

3. The project continues to offer promise of success;

4. All required reports have been received and accepted by the Commissioner; and

5. Funds are available to continue the project.

An application Preparation Workshop will be conducted in Washington, D.C. in late April. For the time and location of the workshop, contact the Program Development Branch (see address in section on FURTHER INFORMATION).

Available Funds: It is expected that approximately $147.5 million will be available for the Special Programs for Students from Disadvantaged Backgrounds in fiscal year 1980. However, for these two initiatives, the following estimated amounts of money will be available: $3.2 million will be available for National Demonstration Upward Bound, to fund approximately 15 grants each averaging $200,000 and $1.9 million is expected to be available for National Demonstration Special Services, to fund approximatley 13 grants each averaging $146,000.

However, these estimates do not bind the U.S. Office of Education to a specific number of grants or to the amount of any grant, unless that amount is otherwise specified by statute or regulations.

Application Forms: Application materials and concept papers will be mailed upon request. Application forms, program information packages, and concept papers are expected to be ready for mailing by late March, 1980. They may be obtained by writing to the Division of Student Services and Veterans Programs, Information Systems and Program Support Branch,

U.S. Office of Education (Room 3514, Regional Office Building 3), 400 Maryland Avenue, SW., Washington, D.C. 20202.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information package. The Commissioner strongly urges that the narrative portion of the application not exceed fifty (50) pages in length. The Commissioner further urges that applicants not submit information that is not requested.

Applicable Regulations: Regualtions applicable to these programs include the following:

(a) Regulations governing the Upward Bound Program (45 CFR Part 155) and the Special Services for Disadvantaged Students Program (45 CFR Part 157); and

(b) General Provisions Regulations for Office of Education Programs (45 CFR Parts 100 and 100a).

If EDGAR becomes effective before grants are made under these programs, those grants will be subject to the following provisions of EDGAR: Subpart A (General); Subpart E (What conditions Must Be Met by a Grantee?); Subpart F (What are the Administrative Responsibilities of a Grantee?); and Subpart G (What Procedures Does the Education Division Use To Get Compliance?).

Note.—The proposed Education Division General Administrative Regulations (EDGAR) were published in the **Federal Register** on May 4, 1979 (44 FR 26298). When EDGAR becomes effective, it will supersede the General Provisions Regulations for Office of Education Programs.

Further Information: For further information, contact the Program Development Branch, Division of Student Services and Veterans Program, U.S. Office of Education (Room 3514, Regional Office Building 3), 400 Maryland Avenue, SW., Washington, D.C. 20202, Telephone (202) 245–2511.

(20 U.S.C. 1070d–1)

Dated: February 11, 1980.

(Catalog of Federal Domestic Assistance Numbers 13.482, Special Services for Disadvantaged Students; and 13.492, Upward Bound)

William L. Smith,

Commissioner of Education.

[FR Doc. 80–5344 Filed 2–20–80; 8:45 am]

BILLING CODE 4110–02–M

Office of the Secretary

Resettling Refugees; Availability of Funding

AGENCY: HEW, Office of Refugee Affairs (ORA), Office of the Secretary.

ACTION: Notice of Availability of Funding.

SUMMARY: This document governs the award of a grant to a public or private nonprofit agency for the purpose of providing technical assistance to those delivering language and vocational training services to refugees from Vietnam, Cambodia, and Laos and operating a materials and assistance clearinghouse to aid voluntary agencies, sponsors, educators and others involved in resettling refugees.

DATE: Grant applications must be received by 5:00 p.m. on or before March 24, 1980.

FOR FURTHER INFORMATION CONTACT: Mary C. Spillane 202–245–0403.

SUPPLEMENTARY INFORMATION:

I. Purpose and Scope

ORA is responsible for promoting self-reliance among refugees resettled in the United States. In carrying out this responsibility with regard to refugees from Vietnam, Cambodia, and Laos, ORA administers a number of programs nationwide which provide training in English as a Second Language, vocational and employment services, and other supportive services to the refugees. These programs are operated by a variety of organizations, including resettlement agencies, community organizations, community college districts and welfare agencies. ORA intends to award a grant to provide training and technical assistance to language teachers, employment service staff, and administrators of these programs; to develop curriculum materials and guides relevant to the programs' activities; and maintain a nationwide, toll-free information hotline to respond to inquiries concerning refugee language and employment training and resettlement in general.

Successful performance under this grant requires an intimate knowledge of the unique language acquisition problems experienced by the refugees, domestic refugee resettlement patterns and networks, Federal objectives with regard to refugee resettlement, methods of adapting curriculum materials to the needs of the refugees and labor market participation issues as they relate to this population.

II. Authorization

Funds for the activities provided below are provided under the Indochinese Migration and Refugee Assistance Act of 1975, as amended.

III. Eligible Grantees

Eligible grantees are State and local governments, public and incorporated non-profit agencies, or any combination of those. Private for-profit agencies or firms are not eligible for grants.

IV. Allotment of Funds

Approximately $500,000 will be made available for the purposes of this announcement for the twelve month period following the date of award. It is anticipated that this will be a three year project grant. Initial budget support ($500,000) will be provided for the first twelve month period. Support for subsequent budget periods will be based upon successful performance and continued need for services.

V. Application Submission and Approval Procedures

Eligible applicants may request grant applications from the Office of Refugee Affairs, HEW, 330 C Street SW, Washington, D.C. 20201. Telephone, 202–245–0403. An original application and two copies must be received by the Director, Office of Refugee Affairs by 5:00 p.m. (local time) on or before March 24, 1980. No grant applications will be accepted after this date.

A panel will be convened by the Director to review, evaluate and rank proposals received, based on the criteria outlined in Section VI of this notice. The effective date of the award of the grant under this announcement will be April 21, 1980.

VI. Criteria for Evaluating Applications

Project grant applications will be evaluated according to the following criteria:

1. Familiarity of applicant organization with the refugee resettlement effort, and with the language acquisition and instruction problems experienced by refugees, language teachers, and program administrators, and familiarity with the languages and cultures of Vietnam, Cambodia and Laos (0–20 points).

2. Understanding the role of language instruction within the context of self-sufficiency training and comprehensive manpower programs for refugees (0–15 points).

3. Presentation of a clear and feasible methodological description. (How will applicant accomplish the tasks outlined in Section VII?) (0–15 points).

4. Presentation of evidence of institutional capability to carry out required tasks (0–10 points).

5. Demonstration of staff competencies necessary to accomplish project goals: Evidence of past successful experience of proposed project director and key staff members in similar or related projects,

appropriateness of time commitment (0–20 points).

6. Procedures for assessing and evaluating the work of the project at appropriate points (0–10 points).

7. Reasonableness of anticipated costs (0–10 points).

VII. Scope of Work

The grantee shall be required to carry out the following tasks: (1) provide on-site, hands on technical assistance and training to language teachers, vocational and employment service staff, and program administrators providing language instruction and self-sufficiency training services to refugees from Vietnam, Cambodia and Laos. Agencies involved in delivery of these services include elementary and secondary schools, colleges and universities, international voluntary resettlement agencies (volags), refugee community agencies, and other community groups. These vary in their degree of familiarity with language instruction to individuals with refugees' linguistic and cultural background.

Facilitating language aquisition among these groups requires specialized skills in the areas of curriculum development, materials adaptation/development and instruction. The grantee must be capable of utilizing its expertise in these areas to provide meaningful, practical training to practicioners dealing directly with refugee clients. Technical assistance will be provided on-site where requested by the provider agencies. It is anticipated that approximately 60 individual on-site technical assistance sessions will be conducted. In addition, the grantee will be required to conduct workshop training in approximately 20 HEW sponsored conferences dealing with refugee self-sufficiency training.

The primary objective of training provided to the refugees is the achievement of self-sufficiency as rapidly as is practicable. It is essential that the grantee be capable of advising service providers as to the role of language instruction activities in a self-sufficiency training program. The technical assistance provided must also be responsive to specific problems/issues raised by practitioners, rather than generalized and theoretical in nature.

(2) Develop/adapt, reproduce and distribute materials relevant to the above tasks. This would include updating and revising publications previously developed under HEW auspices to aid in teaching English to the refugees. Such materials include: Bibliographies of ESL materials, guides for volunteers and tutors, bibliographies of dictionaries/phrasebooks, ESL classroom guides, pronunciation exercises and methodologies for learning English.

Addition materials to be required during the grant period include: a review of refugee camp experiences, especially those of young adults, to acquaint services agencies with the educational needs of refugees; guides to the Laos and Cambodian cultures; a guide to teaching ESL to homebound refugee women; methods and technologies of translation; a bioliography of materials available in the refugees' languages; program models appropriate for refugee language self-sufficiency training.

(3) Maintain a national toll-free hotline, staffed with personnel capable of responding to inquiries concerning language instruction for refugees, appropriate techniques, services and materials available, general refugee resettlement, etc. Inquiries are generated by language instructors, service providers, Volags, agency affiliates, sponsors and others involved in resettlement. As with the on-site activities, hotline assistance must provide practical responses to specific questions on language instruction and resettlement. The hotline is expected to receive approximately 600 calls per week during the grant period.

VIII. Application Content

All applicants will use Standard Form 424, "Federal Assistance" in submitting project proposals. Grant applications must also include the following:

1. Description of the applicant organization. Description of the proposed public agency, private nonprofit consortium, etc. If other than a public agency, description of its organizational mandate, funding sources, principal officers, address, and telephone number must be included. If the applicant is a unit of a larger institution, assurances must be provided that the operation and objectives of this project will not be subordinated to institutional goals.

2. Applicant experience with language training programs, especially refugee and immigrant groups. Experience with refugees from Vietnam, Cambodia, and Laos.

3. Staffing plan including position description and qualifications of project director and key staff.

4. Work Plan as provided in Section VII above.

5. Management Plan. A plan for fiscal and program management to accomplish the project objectives. The plan should describe how the proposing organization intends to administer the project, train and supervise staff, monitor subcontracts (if proposed), maintain records, and evaluate performance.

6. Project budget.

IX. Records and Reports

Grantees will be required to maintain such fiscal and operational records as are necessary for Federal monitoring and auditing of the grant. Quarterly project progress reports will be required—due 10 days after the last day of each quarter following the effective date of the grant.

Bernard E. Kelly,

Director, Office of Refugee Affairs.

[FR Doc. 80-5423 Filed 2-20-80; 8:45 am]

BILLING CODE 4110-12-M

Health Services Administration

Sudden Infant Death Syndrome Program; Announcement of Competitive Grant Applications

The Bureau of Community Health Services (BCHS), Health Services Administration, announces that competitive applications for Sudden Infant Death Syndrome (SIDS) Information and Counseling project grants are now being accepted under the grant program established by Section 1121(b) of the Public Health Service Act (42 U.S.C. 300c–11). There will be two funding cycles during FY 1980.

Section 1121(b) of the Public Health Service Act authorizes project grants to public and nonprofit private entities for support of SIDS projects for the collection, analysis, and furnishing of information (derived from postmortem examination and other means) relating to the causes of SIDS and the provision of information and counseling to families affected by SIDS.

Regulations applicable to this program are set forth at Subpart E of Part 51a of Title 42, Code of Federal Regulations, "Project Grants for SIDS Information and Counseling," published on June 6, 1975 (40 FR 24436).

Scope of This Program Announcement

This program announcement identifies the general program objectives and funding priorities of the Project Grants for SIDS Information and Counseling Program for FY 1980.

A. Program Purposes: There are an estimated 6,500–8,000 cases of SIDS in the United States each year. These deaths occur in all geographical areas and socioeconomic classes, as well as in all ethnic and racial groups. The purposes of these project grants are to provide comprehensive, coordinated, and humanitarian services to families

whose infants have died suddenly and unexpectedly and to learn more about this syndrome. The SIDS program, administered by the Office of Maternal and Child Health in BCHS, currently provides grant funds to 37 organizations in 32 States.

B. Eligible Applicants: Any public or nonprofit private entity is eligible to apply for a grant under this announcement. Individuals are not eligible applicants. Applications with evidence of active support of the various community resources necessary to provide a comprehensive approach to this serious problem are encouraged.

C. Available Funds: Of $2,802,000 approved under a second continuing resolution, H.J. Res. 440, by Congress for support of the SIDS Program in FY 1980, the SIDS program expects to award $1,503,391 for new and competing continuation grants.

An application for a new grant is a request for financial assistance for a project not currently receiving Federal support and is awarded on a competitive basis. An application for a competing continuation grant is a request for the extension of support for a project period which would otherwise expire.

It is expected that approximately 24 new and competing continuation grants will be awarded pursuant to this announcement. The range of funds per grant is expected to be from $15,000 to $175,211, with the average award expected to be $75,500. Generally, projects will be supported for periods of 1 to 3 years. The funds currently available will sustain the budget of the new and continuation projects for a 1-year period. Support for any additional time remaining in the project period depends on: (1) the availability of funds; (2) the Secretary's assessment of the grantee's satisfactory performance on the project for which the grant was awarded, and (3) the likelihood of the grantee's continued contribution to the priorities of the SIDS program.

D. Program Objectives and Priorities For Funding: The applicable regulations require grantees to furnish services including: (1) encouraging and, as necessary, arranging for or providing autopsies in sudden and expected deaths of infants; (2) encouraging the use of SIDS as a cause of death on the death certificate where appropriate; (3) prompt notification of the parents about the cause of death, within a 24-hour period, wherever possible; (4) information and voluntary counseling of families affected by a SIDS loss; (5) consultation and arrangements with official and voluntary community resources for referral of families affected by SIDS; (6) education of such resources to deal with SIDS cases including the provision of general information as well as specific short term training activities deemed appropriate by the grantee; and (7) collection and dissemination of information on SIDS cases in the project area to appropriate public officials and interested members of the general public in the project area.

Priority will be given to applicants:

1. which would serve an area with a population of 1 million or more persons,
2. which would be located in a geographic area with an infant mortality rate higher than the national average,
3. which have the available community resources enabling them to meet the requirements of the program (§ 51a.505) and
4. which are assured of community support and provide an indication of how continuation of services will be maintained after Federal funding ceases.

E. The Application Process: A–95 Clearinghouse Project Notification and Review; Health Systems Agency (HSA) Review.

1. *A–95 Clearinghouse Project Notification and Review.* In compliance with the Department of Health, Education, and Welfare's implementation of Office of Management and Budget Circular No. A–95 Revised, applicants which request grant support must, prior to submission of an application, notify both the State and Areawide A–95 Clearinghouses of their intent to apply for Federal assistance. If the application is for a statewide project which does not affect areawide or local planning and programs, the notification need be sent only to the State Clearinghouse (listed at 42 FR 2210, January 10, 1977).

The Clearinghouse must be notified at least sixty (60) days before the deadline for receipt of applications by HEW. Applications will not be formally reviewed without clearinghouse comments (which should be included with the application), or verification that no comments were made within the applicable period available to the clearinghouse for comment.

2. *Health Systems Agency Review.* Applicants requesting grant support must submit applications to the appropriate health systems agency(s) at least sixty (60) days prior to the deadline for receipt of applications by HEW.

3. *Application Consideration.* Applications which are late, incomplete or otherwise do not conform to this announcement, will not be accepted for review, and applicants will be notified accordingly. All other applications will be subject to a competitive review and evaluation in accordance with the established objective review process.

For additional program information, including technical assistance for the preparation of applications, please write or telephone: Mrs. Geraldine J. Norris, SIDS Program Director, BCHS, Parklawn Building, Room 7–36, 5600 Fishers Lane, Rockville, Maryland 20857. Telephone: 301 443–6600.

Once the Secretary has decided (see item F of this notice) to disapprove applications, or if funds are not available to support all approved applications, the affected applicants will be notified.

F. Criteria for Review and Evaluation of Applications: Applications will be reviewed and evaluated in terms of critieria which are set forth in SIDS program regulations (42 CFR Part 51a, Subpart E). Applicants will be furnished with application forms and instructions (see item H of this notice).

G. Closing Dates for Receipt of Applications: The closing dates for receipt of applications under this program announcement are April 14, 1980, and May 12, 1980. Applications may be mailed or hand delivered. Hand delivered applications are accepted during the usual working hours of 8:30 a.m. and 5:00 p.m.

An application will be considered to have arrived by the closing date if: (1) the application is in the Grants Management Branch (see item H, below) on or before the announced closing date, or (2) the application is postmarked at least two (2) days prior to the announced closing date.

H. Availability of Application Forms: Application kits, including all necessary forms, instructions, and information may be obtained from, and completed applications returned to, the address below: Grants Management Branch, Bureau of Community Health Services, Room 6–49, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

Dated: February 15, 1980.

George I. Lythcott,

Administrator.

[FR Doc. 80–5406 Filed 2–20–80; 8:45 am]

BILLING CODE 4110–84–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[OR 101 39]

Oregon; Opportunity for Public Hearing and Republication and Notice of Proposed Withdrawal

Correction

In FR Doc. 80–4117, appearing in the issue of Friday, February 8, 1980, on page 8731, make the following changes:

The heading is corrected to read as set forth above in this document and the title of Champ C. Vaughan, Jr., the signer of the notice, is corrected to read: *"Acting Chief, Branch of Lands and Minerals Operations.*

BILLING CODE 1505-01-M

[ES 19250]

Coal Lease Offering by Sealed Bid

U.S. Department of the Interior, Bureau of Land Management, Eastern States Office, 350 South Pickett Street, Alexandria, Virginia 22304. Notice is hereby given that at 2:00 p.m., March 14, 1980 certain coal resources in the lands hereinafter described in Walker County, Alabama will be offered for competitive lease by sealed bid of $25 per acre or more to the qualified bidder submitting the highest bonus bid in accordance with the provisions of the Mineral Leasing Act of 1920 (41 Stat. 437), as amended, and the Department of Energy Organization Act of August 4, 1977 (91 Stat. 565, 42 U.S.C. 7101). However, no bid will be accepted for less than fair market value as determined by the authorized officer.

The sale will be held in the Eastern States Office, Public Room, 350 South Pickett Street, Alexandria, Virginia 22304. No bids received after 2:00 p.m., EST, March 14, 1980 will be considered.

Coal Offered: The coal resource to be offered is limited to the Upper Corona and Lower Corona Seams in the following described lands located approximately 4 miles Southwest of Carbon Hill, Alabama:

T. 14 S., R. 10 W., Huntsville Meridian (Fayette)
Sec. 3: W½NE¼, NW¼SE¼, NE¼SW¼, SW¼NW¼, E½NW¼, W½SW¼. Sec. 9: SE¼SE¼. Sec. 10: S½NE¼, NE¼SE¼.
Containing 520 acres.

The estimated total strippable reserves are 721.911 tons. The coal quality is as follows: Btu-11,550; Sulfur-2.11 and Ash-15.45 percent. The Upper and Lower Corona coal bed averages 1.83 feet thick over 224 acres of the described lands.

A lease issued as a result of this offering will provide for payment of an annual rental of $3.00 per acre or fraction thereof and a royalty payable to the United States.

Notice of Availability: Bidding instructions are included in the Detailed Statement of the Lease Sale. A copy of the Statement and of the proposed coal lease are available at the Bureau of Land Management, Eastern States Office, 350 South Pickett Street, Alexandria, Virginia 22404. All case file documents and written comments submitted by the public on Fair Market Value or royalty rates, except those portions identified as proprietary by the commentor and meeting exemptions stated in the Freedom of Information Act, are available for public inspection in the Public Room at the above designated address.

David Lodzinski,
Acting Director Eastern States.

[FR Doc. 80–5357 Filed 2–20–80; 8:45 am]

BILLING CODE 4310-84-M

[W-49338; W-58095]

Wyoming; Coal Lease Offerings By Sealed Bid

February 8, 1980.

U.S. Department of the Interior, Bureau of Land Management, Wyoming State Office, 2515 Warren Avenue, P.O. Box 1828, Cheyenne, Wyoming 82001. Notice is hereby given that at 2:00 p.m., March 12, 1980, certain coal resources in the lands hereinafter described in Carbon County, Wyoming, will be offered for competitive lease by sealed bid of $25 per acre or more to the qualified bidder submitting the highest bonus bid in accordance with the provisions of the Mineral Leasing Act of 1920 (41 Stat. 437), as amended, and the Department of Energy Organization Act of August 4, 1977 (91 Stat. 565, 42 U.S.C. 7101). However, no bid will be accepted for less than fair market value as determined by the authorized officer.

The sale will be held in the third floor Conference Room, 2515 Warren Avenue, Cheyenne, Wyoming. No bids received after 1:00 p.m., March 12, 1980 will be considered.

Coal Offered: For lease offering W-49338, the coal resource to be offered consists of coal recoverable by surface mining methods from only bed #77 in Section 20 and from the Hanna No. 5 bed in Section 6, and any overlying beds, in the following described land located north of Hanna, Wyoming:

T. 23 N., R. 81 W., 6th P.M. (Six miles north of Hanna)
Sec. 20: W½E½NW¼NE¼, W½NW¼NE¼, N½NW¼.
The estimated total strippable reserves are 877,000 tons. The coal quality is as follows: Btu—11,257 per pound; Sulfur—1.05 percent and Ash—9.74 percent. The #77 coal bed averages 19 feet thick.
T. 22 N., R. 81 W., 6th P.M. (Two miles north of Hanna)
Sec. 6: Lots 1 through 7, S½NE¼, SE¼NE¼, E½SW¼, SE¼ (All).
The estimated total strippable reserves are 4.2 million tons. The coal quality is as follows: Btu—10,800 per pound; Sulfur—.65 percent and Ash—9.5 percent. The Hanna No. 5 bed averages 17 feet thick.
Containing 734.86 Acres.

For lease offering W-58095, the coal resource to be offered consists of coal recoverable by surface mining methods from only beds #60 and #61 in Section 8 and beds #60, #61, #62, #63, #64 and #65 in Section 20, and any overlying beds, in the following described land located approximately thirteen miles north of Hanna, Wyoming:

T. 23 N., R. 83 W., 6th P.M.
Sec. 8: All.
Sec. 20: All.
Containing 1,280.00 Acres.
The estimated total strippable reserves are 4.1 million tons. The coal quality is as follows: Btu—10,166 per pound, Sulfur—.57 percent and Ash—8.8 percent. The coal beds average from four to five feet thick.

The lease issued as a result of these offerings will provide for payment of an annual rental of $3.00 per acre or fraction thereof and a royalty payable to the United States.

Notice of Availability: Bidding instructions are included in the Detailed Statements of the Lease Sale. A copy of the Statements and of the proposed coal leases are available at the Bureau of Land Management, 2515 Warren Avenue, Cheyenne, Wyoming 82001. All case file documents and written comments submitted by the public on Fair Market Value or royalty rates, except those portions identified as proprietary by the commentor and meeting exemptions stated in the Freedom of Information Act, are available for public inspection at the above address on the fourth floor.

Delmar D. Vail,
Acting State Director.

[FR Doc. 80–5356 Filed 2–20–80; 8:45 am]

BILLING CODE 4310-84-M

National Park Service

Cumberland Island National Seashore Land Acquisition Plan: Public Forum

In accordance with guidelines issued by the Director of the National Park Service in the **Federal Register** (Vol. 44, No. 82) on April 26, 1979, the

Superintendent of Cumberland Island National Seashore announces an open house for the purpose of providing a public forum to receive oral and written comment on a draft land acquisition plan for the park.

The draft plan will outline, in general terms, the overall goals and strategy for the park land acquisition program and identify specific land acquisition priorities within existing statutory limitations.

The open house will be held as follows:

Friday, March 21, 1980, 1 to 4 p.m.—Assembly Room of the Y.C.C. Girls' Dormitory, Dungeness, Cumberland Island, Georgia (boat transportation from National Park Service Mainland Headquarters site available at 12:15 p.m.)

Persons desiring further information about the open house can write or call the Superintendent, Cumberland Island National Seashore, P.O. Box 806, Saint Marys, Georgia 31558, (912) 882–4337. In addition, copies of the draft plan are available from the Superintendent.

Following the open house, the record will remain open for 30 days to receive additional written comment. A land acquisition plan will then be completed and transmitted to the Regional Director, Southeast Region for approval.

Dated: February 8, 1980.

Neal G. Guse, Jr.,

Acting Regional Director, Southeast Region, National Park Service.

[FR Doc. 80–5354 Filed 2–20–80; 8:45 am]

BILLING CODE 4310–70–M

INTERSTATE COMMERCE COMMISSION

[Notice No. 169]

Assignment of Hearings

February 14, 1980.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 141124 (Sub-21F), Evangelist Commercial Corporation, now assigned for hearing on March 24, 1980 (1 day) at Philadelphia, PA at the U.S. Court House, 601 Market Street.

MC 110420 (Sub-796F), Quality Carriers, Inc., now assigned for hearing on March 25, 1980 (1 day) at Philadelphia, PA in the U.S. Court House, 601 Market Street.

MC 4484 (Sub-8F), Crown Transport, Inc., now assigned for hearing on March 26, 1980 (1 day) at Philadelphia, PA in the U.S. Court House, 601 Market Street.

MC 146690 (Sub-1F), Northeast Towing, Inc., now assigned for hearing on March 27, 1980 (1 day) at Philadelphia, PA in the U.S. Court House, 601 Market Street.

MC 124211 (Sub-336F), Hilt Truck Line, Inc., now being assigned for hearing on April 8, 1980 (1 day) at Atlanta, GA location of hearing room will be designated later.

MC 136376 (Sub-8F), Mont R. Lynch D/B/A Lynch Trucking, now being assigned for hearing on April 9, 1980 (3 days) at Atlanta, GA location of hearing will be designated later.

MC 136285 (Sub-3(M2F)), Southern Intermodal Logistics, Inc., now being assigned for hearing on April 14, 1980 (1 week) at Atlanta, GA location of hearing will be designated later.

MC–C–7287 AAAcon Auto Transport Inc. Investigation and Revocation of Certificates, now being assigned for Prehearing Conference on March 20, 1980 at the Offices of the Interstate Commerce Commission, Washington, DC.

MC 140094 (Sub-1F), Latin Express Service, Inc., now being assigned for hearing on April 9, 1980 (3 days) at Miami, FL location of hearing room will be designated later.

MC–C–9913, American Van and Storage, Inc.—Investigation And Revocation of Certificates, now being assigned for hearing on April 14, 1980 (2 days) at Miami, FL location of hearing room will be designated later.

MC 146619F, Richard E. Arnold, now being assigned for hearing on April 16, 1980 (3 days) at Miami, FL location of hearing room will be designated later.

MC 138550 (Sub-1F), W. Smith Cartage Company, Inc., now being assigned for hearing on April 9, 1980 (1 day) at Chicago, IL location of hearing room will be designated later.

MC 121423 (Sub-3F), Boyd Naegeli, Inc., now assigned for hearing on February 20, 1980 at Fort Worth, TX is canceled and Application Dismissed.

MC 106398 (Sub-908F), National Trailer Convoy, Inc., now being assigned for hearing on April 7, 1980 (1 day) at San Francisco, CA in a hearing room to be designated later.

MC 113855 (Sub-478F), International Transport, Inc., now being assigned for hearing on April 8, 1980 (1 day) at San Francisco, CA in a hearing room to be designated later.

MC 144897 (Sub-1F), Sun Freightways, Inc., now assigned for hearing on February 18, 1980 at the Chavez County Courthouse, 400 North Main, Roswell, New Mexico, is changed to February 18, 1980 (2 weeks) at the Roswell Inn, 1815 North Main Street, Roswell, New Mexico.

MC 112908 (Sub-9F), Kingsway Transport Limited, now assigned for continued hearing on March 5, 1980 at the Offices of the Interstate Commerce Commission in Washington, DC.

MC 116915 (Sub-78F), ECK Miller Transportation Corp., now assigned for hearing on March 10, 1980 is canceled and transferred to Modified Procedure.

MC 114632 (Sub-225F), Apple Lines, Inc., is transferred to Modified Procedure.

MC 147338F, Power Packaging Transportation Corporation, is transferred to Modified Procedure.

MC–FC 77834, Plymouth Transport, Inc., Transferee and Danella Bros., Inc., Transferor, now assigned for hearing on February 13, 1980 is canceled and Application Dismissed.

MC 115841 (Sub-659F), Colonial Refrigerated Transportation, Inc., transferred from Modified Procedure to Unopposed Modified Procedure.

MC 94742 (Sub-40F), Michaud Bus Lines, Inc., now being assigned for hearing on April 14, 1980 (1 week) at Manchester, NH in a hearing room to be designated later.

MC 56679 (Sub-109F), Brown Transport Corporation, now assigned for continued hearing on March 24, 1980 (5 days) at Atlanta, GA in a hearing room to be designated later.

MC 135082 (Sub-83F), Roadrunner Trucking, Inc., transferred to Modified Procedure.

MC 108473 (Sub-46F), St. Johnsbury Trucking Company, Inc., transferred to Modified Procedure.

MC 11207 (Sub-489F), Deaton, Inc., now being assigned for hearing on March 19, 1980 (1 day) at Birmingham, AL in a hearing room to be designated later.

MC 121664 (Sub-69F), Hornady Truck Line, Inc., now being assigned for hearing on March 20, 1980 (1 day) at Birmingham, AL in a hearing room to be designated later.

MC 136828 (Sub-28F), Cook Transports, Inc., now being assigned for hearing on March 21, 1980 (1 day) at Birmingham, AL in a hearing room to be designated later.

MC 145454 (Sub-3F), Southern Refrigerated Transportation Company, Inc., now being assigned for hearing on April 9, 1980 (3 days) at Chicago, IL, location of hearing room will be designated later.

MC 82063 (Sub-103F), Klispsch Hauling Co., now being assigned for hearing on April 14, 1980 (1 week) at Chicago, IL, location of hearing room will be designated later.

MC 11220 (Sub-166F), Gordons Transports, Inc., now being assigned for continued hearing on April 30, 1980 (3 days) at Memphis, TN, continue to May 5, 1980 (5 days) at Atlanta, GA, June 9, 1980 (5 days) at Cincinnati, OH, June 16, 1980 (5 days) at Kansas City, MO, July 14, 1980 (5 days) at New Orleans, LA, July 21, 1980 (5 days) at Dallas, TX and July 28, 1980 at Houston TX.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80–5366 Filed 2–20–80; 8:45 am]

BILLING CODE 7035–01–M

[Volume No. 49]

Petitions, applications, finance matters (including temporary authorities), alternate route deviations, intrastate applications, Gateways, and Pack & Crate.

Dated: January 25, 1980.

Petitions for Modification, Interpretation or Reinstatement of Motor Carrier Operating Rights Authority

The following petitions seek modification or interpretation of existing motor carrier operating rights authority, or reinstatement of terminated motor carrier operating rights authority.

All pleadings and documents must clearly specify the suffix numbers (e.g., M1 F, M2 F) where the docket is so indentified in this notice.

The following petitions, filed on or after March 1, 1979, are governed by Special Rule 247 of the Commission's General Rules of Practice (49 CFR 1100.247). These rules provide, among other things, that a *petition to intervene either with or without leave* must be filed with the Commission within 30 days after the date of publication in the **Federal Register** with a copy being furnished the applicant. Protests to these applications will be *rejected.*

A petition for intervention without leave must comply with Rule 247(k) which requires petitioner to demonstrate that if (1) holds operating authority permitting performance of any of the service which the applicant seeks authority to perform, (2) has the necessary equipment and facilities for performing that service, and (3) has performed service within the scope of the application either (a) for those supporting the application, or, (b) where the service is not limited to the facilities of particular shippers, from and to, or between, any of the involved points.

Persons unable to intervene under rule 247(k) may file a petition for leave to intervene under Rule 247(l). In deciding whether to grant leave to intervene, the Commission considers, among other things, whether petitioner has (a) solicited the traffic or business of those persons supporting the application, or, (b) where the identity of those supporting application is not included in the published application notice, has solicited traffic or business indentical to any part of that sought by applicant within the affected marketplace. Another factor considered is the effects of any decision on petitioner's interests.

Samples of petitions and the text and explanation of the intervention rules can be found at 43 FR 50908, as modified at 43 FR 60277.

Petitions not in reasonable compliance with these rules may be rejected. Note that Rule 247(e), where not inconsistent with the intervention rules, still applies. Especially refer to Rule 247(e) for requirements as to supplying a copy of conflicting authority, serving the petition on applicant's representative, and oral hearing requests.

MC 3504 and MC 3504 (Sub-1 M1F), filed July 19, 1979. Applicant: TIP-TOP TRUCKING, INC., 5 Baldarelli Court, Springfield, MA 01104. Representative: Robert B. Pepper, 168 Woodbridge Ave., Highland Park, NJ 08904. Petitioner holds motor *common* carrier Certificates in MC-3504, and MC-3504 Sub 1F, issued March 5, 1979. MC–3504, and MC-3504 Sub 1F, authorizes transportation, over irregular routes, of *general commodities,* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), from Bridgeport, CT, to points in CT"; and from Bridgeport, CT, to points in Hampden County, MA, respectfully. By the instant petition, petitioner seeks to modify the Certificates by substituting "between Bridgeport, CT, on the one hand, and, on the other, points in CT; and "between Bridgeport, CT, on the one hand, and, on the other points in Hampden County, MA, respectfully."

MC 124964 (Sub-9 M1F), filed July 14, 1979. Applicant: JOSEPH M. BOOTH, d.b.a. J. M. Booth Trucking, Highway 441 and Haines Creek Rd., Tavares, FL 32778. Representative: George A. Olsen, 69 Tonnele Ave., Jersey City, NJ 07306. Petitioner holds motor *contract* carrier Permit in MC–124964 Sub 9, issued April 5, 1971. MC–124964 Sub 9 authorizes transportation, over irregular routes, of (1)(a) *such commodities* as are dealt in or used by chain grocery or department stores, and (b) *agricultural commodities,* the transportation of which is otherwise exempt from economic regulation under section 203(b)(6) of the Act, when transported in the same vehicle at the same time with the commodities described in (1)(a) above, from points in Hudson, Bergen, Essex, Passaic, Union, Somerset Counties, N.J., the plant site of P. J. Ritter & Co., at Bridgeton, N.J., points in Westchester, Nassau, Suffolk, and Rockland Counties, N.Y., Coxsackie, Scotia, Waterford, and Waverly, N.Y., to points in Broward, Dade, Hillsborough, Lake, Orange, Pinellas, and Palm Beach Counties, Fla., and (2)(a) *returned shipments* of the commodities described in (1)(a) above, and (b) *agricultural commodities,* the transportation of which is otherwise exempt from economic regulation under section 203(b)(6) of the Act, when transported in the same vehicle at the same time with the commodities described in (2)(a) above, from points in Broward, Dade, Hillsborough, Lake, Orange, Pinellas, and Palm Beach Counties, Fla., to points in Hudson, Bergen, Essex, Passaic, Union, and Somerset Counties, N.J., the plant site of P. J. Ritter & Co., at Bridgeton, N.J., points in Westchester, Nassau, Suffolk, and Rockland Counties, N.Y., Coxsackie, Scotia, Waterford, and Waverly, N.Y., under continuing contract(s) with Grand Union Company of East Paterson, N.J., and Unity Consolidated, Inc., of New York, N.Y. By the instant petition, petitioner seeks to modify the permit by adding "C. F. Mueller Company, of Jersey City, NJ as a contracting shipper."

MC 126305 (Sub-39F), filed August 2, 1979 (Notice of filing of petition to modify the territorial description). Petitioner: BOYD BROTHERS TRANSPORTATION CO., INC., Route 1 Box 18, Clayton, AL 36016. Representative: George A. Olsen, 69 Tonnele Ave., Jersey City, NJ 07306. Petitioner holds *common carrier* authority in MC 126305 Sub 39, served March 8, 1977, expired December 31, 1977, and the term limitation was removed by Order of Division 1, served February 6, 1978. MC-126305 Sub 39 authorizes the transportation of *farm and industrial equipment,* and *materials and supplies* used in connection therewith, over irregular routes, from Newport News, VA, and those points in VA east of U.S. Hwy 258, and those in NC east of U.S. Hwy 301 and north of U.S. Hwy 264, to points in GA, FL, TN, AL, MS, LA, TX, AR, and OK.

By the instant petition, petitioner seeks to modify the origin to read: "from Newport News, VA, and those points in VA east of U.S. Hwy 258, and those in NC east of U.S. Hwy 301 and north of NC Hwy 24".

Motor Carrier Operating Rights Applications

The following applications, filed on or after March 1, 1979, are governed by Special Rule 247 of the Commission's General Rules of Practice (49 CFR 1100.247). These rules provide, among other things, that a *petition to intervene either with or without leave* must be filed with the Commission within 30 days after the date of publication in the **Federal Register** with a copy being furnished the applicant. Protests to these applications *will be rejected.*

A petition for intervention without leave must comply with Rule 247(k) which requires petitioner to demonstrate

that it (1) holds operating authority permitting performance of any of the service which the applicant seeks authority to perform, (2) has the necessary equipment and facilities for performing that service, and (3) has performed service within the scope of the application either (a) for those supporting the application, or, (b) where the service is not limited to the facilities of particular shippers, from and to, or between, any of the involved points.

Persons unable to intervene under Rule 247(k) may file a petition for leave to intervene under Rule 247(l). In deciding whether to grant leave to intervene, the Commission considers, among other things, whether petitioner has (a) solicited the traffic or business of those persons supporting the application, or, (b) where the identity of those supporting the application is not included in the published application notice, has solicited traffic or business identical to any part of that sought by applicant within the affected marketplace. Another factor considered is the effects of any decision on petitioner's interests.

Samples of petitions and the text and explanation of the intervention rules can be found at 43 Fed. Reg. 50908, as modified at 43 Fed. Reg. 60277. Petitions not in reasonable compliance with these rules may be rejected. Note that Rule 247(e), where not inconsistent with the intervention rules, still applies. Especially refer to Rule 247(e) for requirements as to supplying a copy of conflicting authority, serving the petition on applicant's representative, and oral hearing requests.

MC 69454 (Sub-9F), filed August 6, 1979. Applicant: DITTO FREIGHT LINES, a Corporation, 1575 Industrial Ave., San Jose, CA 95112. Representative: Daniel W. Baker, 100 Pine St., Suite 2550, San Francisco, CA 94111. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except household goods, as defined by the Commission, and commodities in bulk); Between Crescent City, CA, and Los Angeles CA, over U.S. Hwy 101; Between Yreka, CA, and ports of entry on the international boundary between the United States and Mexico, over Interstate Hwy 5; Between Willow Ranch and the CA-NV state line, near Hallelujah Junction, CA, over U.S. Hwy 395; Between junction CA Hwy 299 and U.S. Hwy 101, near Arcata, CA, and the CA-NV state line over CA Hwy 299; Between Lake Britton, CA, and Tahoe City, CA, over CA Hwy 89; Between Red Bluff, CA, and junction CA Hwy 99 and Interstate Hwy 5 at Wheeler Ridge, CA, over CA Hwy 99; Between Marysville, CA, and Hallelujah Junction, CA, over CA Hwy 70; Between Calpella, CA, and junction CA Hwy 20 and Interstate Hwy 80, near Cisco Grove, CA, over CA Hwy 20; Between junction CA Hwy 29 and CA Hwy 20, near Upper Lake, CA, and Vallejo, CA, over CA Hwy 29; Between the junction of CA Hwy 49 and CA Hwy 70, at Vinton, CA, and Sonora, CA, over CA Hwy 49; Between Marysville, CA, and Roseville, CA, over CA Hwy 65; Between San Francisco, CA, and the CA-NV state line, over Interstate Hwy 80; Between Sacramento, CA, and Meyers, CA, over U.S. Hwy 50; Between the junction of CA Hwy 4 and Interstate Hwy 80, near Pinole, CA, and Murphys, CA, over CA Hwy 4; Between Oakland, CA, and Concord, CA, over CA Hwy 24; Between Sacramento, CA, and the junction of CA Hwy 160 and CA Hwy 4, near Antioch, CA, over CA Hwy 160; Between Oakland, CA, and the junction of Interstate Hwy 580 and Interstate Hwy 5, over Interstate Hwy 580; Between the junction of Interstate Hwy 580 and Interstate Hwy 205, and the junction of Interstate Hwy 205 and Interstate Hwy 5, near Tracy, CA, over Interstate Hwy 205; Between San Rafael, CA, and Santa Cruz, CA, over CA Hwy 17; Between Santa Cruz, CA, and Carmel, CA over CA Hwy 1; Between Salinas, CA, and Monterey, CA, over CA Hwy 68; Between Tracy, CA, and Ventura, CA, over CA Hwy 33; Between Mossdale Wye, CA, and Oakdale, CA, over CA Hwy 120; Between Twain Harte, CA, and Modesto, CA, over CA Hwy 108; Between Watsonville, CA, and Califa, CA, over CA Hwy 152; Between San Lucas, CA, and Three Rivers, CA, over CA Hwy 198; Between Paso Robles, CA, and Famoso, CA, over CA Hwy 46; Between Guadalupe, CA, and the junction of CA Hwy 166 and Interstate Hwy 5, at Wheeler Ridge, CA, over CA Hwy 166; Between Coleville, CA, and the junction of U.S. Hwy 395 and Interstate Hwy 15, near Victorville, CA, over U.S. Hwy 395; Between Baker, CA, and San Diego, CA, over Interstate Hwy 15 and Interstate Hwy 15E; Between the junction of CA Hwy 65 and CA Hwy 198, near Exeter, CA, and Bakersfield, CA, over CA Hwy 65; Between Simmler, CA, and Barstow, CA, over CA Hwy 58; Between Barstow, CA, and CA-AZ state line, over Interstate Hwy 40; Between the junction of CA Hwy 14 and U.S. Hwy 395, near Homestead, CA, and the junction of CA Hwy 14 and Interstate Hwy 5, near Valencia, CA, over CA Hwy 14; Between Los Angeles, CA, and Desert Center, CA, over Interstate Hwy 10; Between San Diego, CA, and Gordon's Well, CA, over Interstate Hwy 8; Between Indio, CA, and the junction of CA Hwy 86 and CA Hwy 111, near Heber, CA, over CA Hwy 86; Between Arcata, CA, and Eureka, CA, over CA Hwy 255; Between Crescent City, CA, and Gasquet, CA, over U.S. Hwy 199; Between Fieldbrook, CA, and the junction of CA Hwy 200 and CA Hwy 299, near Blue Lake, CA, over CA Hwy 200; Between Klamath, CA, and Klamath Glenn, CA, over unnumbered County Road; Between Eureka, CA, and Kneeland, CA, over unnumbered County Road; Between Dinsmore, CA, and the junction of CA Hwy 36 and U.S. Hwy 101, near Alton, CA, over CA Hwy 36; Between Ferndale, CA, and the junction of unnumbered County road and U.S. Hwy 101, near Fernbridge, CA, over unnumbered County Road; Between Honeydew, CA, and the junction of unnumbered County Road and U.S. Hwy 101, near South Fork, CA, over unnumbered County Road; Between South Fork, CA, and Fort Seward, CA, over unnumbered County Road; Between Shelter Cove, CA, and Alder Point, CA, through Garberville, CA, over unnumbered County Road; Between Rockport, CA, and Leggett, CA, over CA Hwy 1; Between Laytonville, CA, and Dos Rios, CA, over unnumbered County Road; Between Covelo, CA, and Longvale, CA, over CA Hwy 162; Between Laytonville, CA, and Branscomb, CA, over unnumbered County Road; Between Willits, CA, and Hearst, CA, over unnumbered County Road; Between Willits, CA, and Dunlap, CA, over CA Hwy 20; Between Philo, CA, and the junction of CA Hwy 128 and Interstate Hwy 80 near Davis, CA, over CA Hwy 128; Between Fulton, CA, and Gueneville, CA, over unnumbered County Road; Between Schellville, CA, and Guernville, CA, over CA Hwy 116; Between Hopland, CA, and Kelseyville, CA, over CA Hwy 175; Between Freestone, CA, and San Andreas, CA, over CA Hwy 12; Between Petaluma, CA, and Tomales, CA, over unnumbered County Road; Between Bodega Bay, CA, and the junction of CA Hwy 1 and U.S. Hwy 101, near Sausalito, CA, over CA Hwy 1; Between Lagunitas, CA, and San Rafael, CA, over unnumbered County Road. Between Vallejo, CA, and the junction of CA Hwy 37 and U.S. Hwy 101, near Ignacio, CA, over CA Hwy 37; Between Watsonville, CA, and the junction of CA Hwy 129 and U.S. Hwy 101, near Chittenden, CA, over CA Hwy 129; Between Salinas, CA, and Castroville, CA, over CA Hwy 183; Between Soledad, CA, and the junction of CA Hwy 146 and CA Hwy 25, near San Benito, CA, over CA Hwy 146;

Between the junction of CA Hwy 24 and U.S. Hwy 101, near Gilroy, CA, and the junction of CA Hwy 25 and CA Hwy 198, near Priest Valley, CA, over CA Hwy 25; Between King City, CA, and Paso Robles, CA, over County Road G14; Between Between Morro Bay, CA, and the junction of CA Hwy 41 and CA Hwy 145, near Friant, CA, over CA Hwy 41; Between Creston, CA, and Santa Marguerita, CA, over CA Hwys 229 and 58; Between San Luis Obispo, CA, and Los Osos, CA, over unnumbered County Road; Between Cayucos, CA, and San Luis Obispo, CA, over CA Hwy 1; Between San Luis Obispo, CA, and Arroyo Grande, CA, over CA Hwy 227; Between Between Arroyo Grande, CA, and Oceano, CA, over unnumbered County Road; Between the junction of unnumbered County Road and CA Hwy 1, near Orcutt, CA, and Casmalia, CA, over unnumbered County Road; Between Sisquoc, CA, and the junction over CA Hwy 176 and U.S. Hwy 101, near Garey, CA, over CA Hwy 176; Between Santa Ynez, CA, and Lompoc, CA, over CA Hwy 246; Between the junction of CA Hwy 154 and U.S. Hwy 101, near Los Olivos, CA, and the junction of CA Hwy 154 and U.S. Hwy 101, near Goleta, CA, over CA Hwy 154; Between Concepcion, CA, and Gaviota, CA, over unnumbered County Road; Between Montegue, CA, and Fort Jones, CA, over CA Hwy 3; Between McCloud, CA, and the junction of CA Hwy 89 and Interstate Hwy 5, near Mt. Shasta, CA, over CA Hwy 89; Between Redding, CA, and Manzanita Lake, CA, over CA Hwy 44; Between Cottonwood, CA, and Rosewood, CA, over County Road A5; Between Paskenta, CA, and Corning, CA, over County Road A9; Between Orland, CA, and the junction of CA Hwy 32 and CA Hwy 89, near Childs Meadow, CA, over CA Hwy 32; Between the junction of Interstate Hwy 505 and Interstate Hwy 80, near Vacaville, CA, and the junction of Interstate Hwy 505 and Interstate Hwy 5, near Dunnigan, CA, over Interstate Hwy 505; Between Madera, CA, and the junction of CA Hwy 145 and Interstate Hwy 5, near Oil City, CA, over CA Hwy 145; Between Herlong, CA, and the junction of County Roads A25 and A26 and U.S. Hwy 395, over County Road A25 and County Road A26; Between Litchfield, CA, and CA-NV state line, over unnumbered County Road through Wendel; Between Litchfield, CA, and Buntingville, CA, over County Road A3; Between Johnstonville, CA, and the junction of CA Hwy 44 and CA Hwy 36, near Susanville, CA, over CA Hwy 36; Between Red Rock, CA, and the junction of unnumbered County Road and U.S. Hwy 395, near Thermo, CA, over unnumbered County Road; Between the junction of unnumbered County Road and CA Hwy 299, near Indian Springs, CA, and the junction of unnumbered County Road with U.S. Hwy 395, near Likely, CA, over unnumbered County Road; Between Fort Bidwell, CA, and Eagleville, CA, over CA Hwy 447; Between Davis Creek, CA, and Lake City, CA, over unnumbered County Road; Between Willow Creek, CA, and Weitchpec, CA, over CA Hwy 96; Between Douglas City, CA, and Peanut, CA over CA Hwy 3; Between Red Bluff, CA, and Westwood, CA, over CA Hwy 36; Between Ione, CA, and the junction of CA Hwy 104 and CA Hwy 99, near Galt, CA, over CA Hwy 104; Between Oroville, CA, and Forbestown, CA, over CA Hwy 162 and Forbestown Road; Between Ione, CA, and Stockton, CA, over CA Hwy 88 and CA Hwy 124; Between Stockton, CA, and West Point, CA, over CA Hwy 26; Between Oakdale, CA, and Modesto, CA, over CA Hwy 108; Between Turlock, CA, and the junction of CA Hwy 165 and Interstate Hwy 5, near the Merced-Fresno county line, over CA Hwy 165 and County Road J 14; Between Woody, CA, and the junction of CA Hwy 155 and CA Hwy 43, near Pond, CA, over CA Hwy 155; Between Bakersfield, CA, and Democrat Hot Springs, CA, over CA Hwy 178; Between Potter Valley, CA, and the junction of unnumbered County Road and CA Hwy 20, near Calpella, CA, over unnumbered County Road; Between Plymouth, CA, and the junction of CA Hwy 16 and CA Hwy 20 near Wilbur Springs, CA, over CA Hwy 16; Between Hamilton City, CA, and Knights Landing, CA, over CA Hwy 45; Between Napa, CA, and junction of CA Hwy 121 and CA Hwy 37 at Sears Point, CA, over CA Hwy 121; Between San Jose, CA, and Cordelia, CA, over Interstate Hwy 680; Between Benicia, CA, and Vallejo, CA, over Interstate Hwy 780; Between Tahoe City, CA, and Kings Beach, CA, over CA Hwy 28; Between Plymouth, CA, and Pollick Pines, CA, over County Road E16; Between Meyers, CA, and Markleville, CA, over CA Hwy 89; Between Davenport, CA, and Santa Cruz, CA, over CA Hwy 1; Between Boulder Creek, CA, and Santa Cruz, CA, over CA Hwy 9; Between Watsonville, CA, and the junction of CA Hwy 129 and CA Hwy 101, near the Santa Clara-San Benito county line, over CA Hwy 129; Between Soledad, CA, and Marina, CA, over County Road C17; Between Mendota, CA, and the junction of CA Hwy 180 and CA Hwy 63, near Squaw Valley, CA, over CA Hwy 180; Between Ione, CA, and the junction of CA Hwy 124 and CA Hwy 49, near Dry Town, CA, over CA Hwy 124; Between Clements, CA, and Pine Grove, CA, over CA Hwy 88; Between Copperopolis, CA, and the junction of O'Byrnes Ferry Road and CA Hwy 108, near Chinese Camp, CA, over O'Byrnes Ferry Road; Between the junction of CA Hwy 156 and U.S. Hwy 101, near Chittenden, CA, and the junction of CA Hwy 156 and CA Hwy 152, near San Filipe, CA, over CA Hwy 156. Between Bridgeport, CA, and the CA-NV state line, over CA Hwy 182; Between Tuolumne Meadows Lodge, CA, and Lee Vining, CA, over CA Hwy 120; Between Benton Station, CA, and Bishop, CA, over U.S. Hwy 6; Between Panamint Springs, CA, and Olancha, CA, over CA Hwy 190; Between Lone Pine, CA, and the junction of CA Hwy 190 and CA Hwy 136, near Keeler, CA, over CA Hwy 136; Between CA-NV state line and the junction of CA Hwy 95 and Interstate Hwy 40, near Needles, CA, over CA Hwy 95; Between Trona, CA, and Onyx, CA, over CA Hwy 178; Between junction CA Hwy 18 and CA Hwy 138, near Llano, CA, and Lucerne Valley, CA, over CA Hwy 18; Between the junction of CA Hwy 138 and Interstate Hwy 5, near Gorman, CA, and the junction of CA Hwy 138 and CA Hwy 18, near Silverlake, CA, over CA Hwy 138; Between Barstow, CA, and Camp Irwin Military Reservation, CA, over Irwin Road; Between Barstow, CA, and Lucerne Valley, CA, over CA Hwy 247; Between Barstow, CA, and Victorville, CA, over National Trails Hwy; Between Azusa, CA, and San Bernardino, CA, over CA Hwy 66; Between Redlands, CA, and San Dimos, CA, over CA Hwy 30; Between Riverside, CA, and the junction of CA Hwy 91 and Interstate Hwy 5, near Buena Park, CA, over CA Hwy 91; Between San Juan Capistrano, CA, and Perris, CA, over CA Hwy 74; Between Radec, CA, and the junction of CA Hwy 79 and Interstate Hwy 15 near Temucla, CA, over CA Hwy 79; Between Ludow and the junction of Old National Trail Hwy and Interstate Hwy 40, near Mountain Springs, CA, over Old National Trail Hwy; Between Fenner, CA, and the junction of Goffs Road and U.S. Hwy 95, near Bannock, CA, over Goffs Road; Between Palmdale, CA, and Gorman CA, over County Road N2; Between Los Angeles, CA, and Beaumont, CA, over CA Hwy 60; Between Beaumont, CA, and Aguanga, CA, over CA Hwy 79; Between Banning, CA, and Idyllwild, CA, over CA Hwy 243; Between Desert Center, CA, and Eagle Mountain, CA, over County Road R2; Between Yucca Valley, CA, and the junction of CA Hwy 62 and Interstate

Hwy 10, near Whitewater, CA, over CA Hwy 62; Between Ocotillo, CA, and the junction of CA Hwy 98 and Interstate Hwy 8, near Gordon's Well, CA, over CA Hwy 98; Between Calexico, CA, and the junction of CA Hwy 111 and Interstate Hwy 10, near Whitewater, CA, over CA Hwy 111; Between Calipatria, CA, and the junction of CA Hwy 115 and Interstate Hwy 8, near Holtville, CA, over CA Hwy 115. Serving all intermediate points on the above-described routes in (1) through (151); and serving off-route points in Alameda, Butte, Contra Costa, El Dorado, Lake, Los Angeles, Marin, Merced, Napa, Nevada, Orange, Placer, Plumas, Sacramento, San Francisco, San Joaquin, San Mateo, Santa Clara, Sierra, Solano, Stanislaus, Sutter, Yolo and Yuba Counties, CA; points in San Diego County, CA, west of CA Hwy 79 and County Road S2; points in Ventura County, CA, south of CA Hwy 150 and CA Hwy 126; points in Colusa County, CA, east of unnumbered County Road and CA Hwy 16 between Stoneyford and the Colusa-Yuba County line, through Leesville; points in Glenn County, CA, east of unnumbered County Road between Newville and Stoneyford, through Elk Creek; points in Tehama County, CA, east of unnumbered County Road between Red Bluff and Newville, through Paskenta and north of CA Hwy 36 between Red Bluff and Beegum; points in that part of Fresno County, CA, west of a boundary line commencing at the Madera-Fresno County line at Friant, then southerly along the Friant Expressway to Pinedale, easterly along Herndon Avenue to Academy Avenue, southerly along Academy Avenue To CA Hwy 180, easterly along CA Hwy 180 to CA Hwy 63, southerly along CA Hwy 63 to the Fresno-Tulare County line; points in Tulare County, CA, west of a boundary line commencing at the Fresno-Tulare County line, then southerly along CA Hwy 63 to CA Hwy 201, easterly along CA Hwy 201 to County Road J27, southerly along County Road J27 to CA Hwy 65, southerly along CA Hwy 65 to Tulare-Kern County line and Lindsay, Strathmore and Porterville; points in Kern County, CA, west and south of a boundary line commencing at Tulare-Kern County line, then southerly along CA Hwy 65 to CA Hwy 99, southerly along CA Hwy 99 to CA Hwy 204, easterly along CA Hwy 204 to CA Hwy 58, easterly along CA Hwy 58 to the Kern-San Bernardino County line; points in Madera County, CA, west of a boundary line commencing at the Madera-Mariposa County line, then southerly along the Atchison, Topeka & Santa Fe Railroad right-of-way to CA Hwy 145, easterly along CA Hwy 145 to County Road 145, southerly, along County road 145 and County Road 206 to the Madera-Fresno County line.

Restricted against: 1. No local service shall be performed between points in Ventura, Los Angeles, Orange and San Diego Counties, CA, and those points on and west of U.S. Hwy 395 in San Bernardino and Riverside Counties, CA.

2. Service shall be restricted against transportation of commodities moving in ocean containers and empty containers between points in the San Francisco Territory, CA, on the one hand, and, on the other, San Diego, CA, and Los Angeles, CA.

San Francisco Territory, CA

San Francisco Territory includes all the City of San Jose and that area embraced by the following boundary: Beginning at the point the San Francisco-San Mateo County Line meets the pacific Ocean; thence easterly along said County Line to a point one mile west of State Highway 82; southerly along an imaginary line one mile west of and paralleling State Highway 82 to its intersection with Southern Pacific Company right-of-way at Arastradero Road; southeasterly along the Southern Pacific Company right-of-way to Pollard Road, including industries served by the Southern Pacific Company spur line extending approximately two miles southwest from Simla to Permanente; easterly along Pollard Road to W. Parr Avenue; easterly along W. Parr Avenue to Capri Drive; southerly along Capri Drive to Division Street; easterly along Division Street to the Southern Pacific Company right-of-way; southerly along the Southern Pacific Company right-of-way to the Campbell-Los Gatos City Limits; easterly along said limits and the prolongation thereof to South Bascom Avenue (formerly San Jose-Los Gatos Road); northeasterly along South Bascom Avenue to Foxworthy Avenue: easterly along Foxworthy Avenue to Almaden Road; southerly along Almaden Road to Hillsdale Avenue; easterly along Hillsdale Avenue to State Highway 82; northwesterly along State Highway 82 to Tully Road; northeasterly along Tully Road and the prolongation thereof to White Road; northwesterly along White Road to McKee Road; southwesterly along McKee Road to Capitol Avenue; northwesterly along Capitol Avenue to State Highway 238 (Oakland Road); northerly along State Highway 238 to Warm Springs; northerly along State Highway 238 (Mission Blvd.) via Mission San Jose and Niles to Hayward; northerly along Foothill Blvd. and MacArthur Blvd. to Seminary Avenue; easterly along Seminary Avenue to Mountain Blvd.; northerly along Mountain Blvd. to Warren Blvd. (State Highway 13); northerly along Warren Blvd. to Broadway Terrace; westerly along Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland Boundary Line; northerly along said boundary line to the campus boundary of the University of California; westerly, northerly and easterly along the campus boundary to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to San Pablo Avenue (State Highway 123); northerly along San Pablo Avenue to and including the city of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco waterfront at the foot of Market Street; westerly along said waterfront and shoreline to the Pacific Ocean; southery along the shoreline of the Pacific Ocean to point of beginning. (Hearing Site: San Francisco, CA.)

Broker, Water Carrier and Freight Forwarder Operating Rights Applications

The following applications are governed by Special Rule 247 of the Commission's General Rules of Practice (49 CFR 1100.247). These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after the date of notice of filing of the application is published in the **Federal Register.** Failure to seasonably file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(e)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such an authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues of allegations phrased generally, protests not in reasonable compliance with the requirements of the rules may be rejected.

Permanent Ex-Water Authority Decisions

Decision-Notice

Decided: January 9, 1980.

The following applications are governed by 49 CFR 1062.3. Applicants seek to obtain motor common carrier authority to perform service within the commercial zone of port cities where the shipment has a prior or subsequent movement by maritime carrier. The full text and explanation of the rules are contained at 44 FR 7965, as corrected at 44 FR 37230.

The sole issue upon which these applications can be protested is the applicant's fitness to perform the service. Protests (an original and one copy) must be filed with the Commission within 30 days of the **Federal Register** publication. The protest must contain the *specific facts* being relied upon to challenge fitness, and must contain a certification that it has been served concurrently upon applicant's representative, or, if none id listed, upon the applicant. Applicant may file a reply statement to any protest. The filing of these statements will complete the record, unless it is later determined that more evidence must be supplied.

Further processing steps will be by Commission notice, decision, or letter which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication.*

Any authority granted may reflect administratively acceptable restrictive amendments to the service proposed below. Some of the applications may have been modified to conform to the Commission's policy of simplifying grants of operating authority.

Findings: With the exception of those applications involving duly noted problems (e.gs., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each common carrier applicant has demonstrated that its proposed service is required by the present and future public convenience and necessity.

Each applicant is fit, willing, and able to properly perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where specifically noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In those proceedings containing a statement or note that dual operations are or may be involved we find, preliminarily and in the absence of the issue being raised by a protestant, that the proposed dual operations are consistent with the public interest and the transportation policy of 49 U.S.C. 10101 subject to the right of the Commission, which is expressly reserved, to impose such terms, conditions or limitations as it finds necessary to insure that applicant's operations shall conform to the provisions of 49 U.S.C. 10930(a) (formerly section 210 of the Interstate Commerce Act).

In the absence of legally sufficient protests, filed within 30 days of publication of this decision-notice (March 24, 1980) (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of the decision-notice. To the extent that the authority sought below may duplicate an applicant's other authority, such duplication shall be construed as conferring only a single operating right.

Applicants must comply with all specific conditions set forth in the grant or grants of authority within 90 days after the service of the notification of the effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

By the Commission, Review Board Number 2, Members Boyle, Eaton, and Liberman. Member Boyle not participating.

MC 69454 (Sub-8F), filed July 22, 1979. Applicant: DITTO FREIGHT LINES, a corporation, 1575 Industrial Ave., San Jose, CA 95112. Representative: Walter H. Walker, III, 100 Pine Street, Suite 2550, San Francisco, CA 94111. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* (except classes A and B explosives), between points in the commerical zones of (a) Seattle, WA, (b) Longview, WA, (c) Tacoma, WA, (d) Vancouver, WA, (e) Portland, OR, (f) Oakland, CA), (g) San Francisco, CA, (h), Richmond, CA, (i) Benecia, CA, (j) Pittsburg, CA, (k) Sacramento, CA, (l) Stockton, CA, (m) Los Angeles, CA, (n) Long Beach, CA, and (o) San Diego, CA, restricted to the transportation of traffic having a prior or subsequent movement by water. (Hearing site: San Francisco, CA.)

MC 96607 (Sub-17F), filed August 5, 1979. Applicant: RUCKER BROTHERS TRUCKING, INC., 1820 Stewart St. East, Tacoma, WA 98421. Representative: Michael D. Duppenthaler, 211 South Washington St., Seattle, WA 98104. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* (except classes A and B explosives), between points in the commerical zones of Seattle, WA, restricted to the transportation of traffic having a prior or subsequent movement by water. (Hearing site: Seattle, WA.)

MC 148068F, filed August 3, 1979. Applicant: LOCAL CARTAGE COMPANY OF MIAMI, a corporation, 2970 N.W. 75th Ave., Miami, FL 33122. Representative: John P. Bond, 2766 Douglas Road, Miami, FL 33133. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* (except classes A and B explosives), between points in the commerical zones of Miami, FL, restricted to the transportation of traffic having a prior or subsequent movement by water. (Hearing site: Washington DC, or Miami, FL.)

MC 142494 (Sub-3F), filed August 7, 1979. Applicant: UNITED CARTAGE, INC., 737 South Stacy St., Seattle, WA 98104. Representative: Michael D. Duppenthaler, 211 South Washington, Seattle, WA 98104. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* (except classes A and B explosives), between points in the commercial zones of Seattle, WA, restricted to the transportation of traffic having a prior or subsequent movement by water. (Hearing site: Seattle, WA.)

Permanent Property Broker Authority

Decision-Notice

Decided: January 9, 1980.

The following applications are governed by 49 CFR 1045A. Applicants seek to obtain authority to operate as brokers of motor carrier transportation of general commodities (except household goods) between all points in the United States. The full text and explanation of the rules are contained at 44 F.R. 53513.

The sole issue upon which these applications can be protested is the fitness of applicant (or business associates) to perform the service. Protests (an original and one copy) must be filed with the Commission within 30 days of the **Federal Register** publication. The protest must contain the *specific facts* being relied upon to challenge fitness, and must contain a certification that it has been served concurrently

upon applicant's representative, or, if none is listed, upon the applicant. Applicant may file a reply statement to any protest. The filing of these statements will complete the record, unless it is later determined that more evidence must be supplied.

Further processing steps will be by Commission notice, decision, or later which will be served on each party of record.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved fitness questions), we find, preliminarily, that each applicant has demonstrated that its proposed service is consistent with the public interest and the transportation policy of 49 U.S.C. 10101, and that each applicant is fit, willing, and able properly to perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, the Commission's regulations. Except where specifically noted, this action will not significantly affect the quality of the human environment or conservation of energy resources.

In the absence of legally sufficient protests filed within 30 days of publication of this decision-notice (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of the decision-notice. To the extent that the authority sought below may duplicate an applicant's other authority, such duplication shall be construed as conferring only a single operating right.

Applicants must comply with all specific conditions set forth in the grant or grants of authority within 90 days after the service of the notification of the effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

By the Commission, Review Board Number 2, Members Boyle, Eaton, and Liberman. Member Boyle not participating.

MC 130620F, filed October 18, 1979. Applicant's name and address are INTERSTATE FREIGHT BROKERS, INC., 1004 29th Street, Sioux City, IA 51104. The name under which operations will be performed is INTERSTATE FREIGHT BROKERS, INC. Applicant is represented by Edward A. O'Donnell in this proceeding whose address is 1004 29th Street, Sioux City, IA 51104. Following are the names and business addresses for all persons who are officers and directors, partners (including limited or "silent" partners), and first five principal shareholders, with their appropriate titles: Edward A. O'Donnell, President and Treasury, (same address as applicant), Lonnie Games, Vice President, 530 W. Norwood, Indianapolis, In 46225, John B. Salamon, Secretary, 1632 Chatham St., Racine, WI 53402, Richard L. Salamon, Director, 4528 So. McDowell Ave., Chicago, IL 60609, D. Douglas Titus, Director, 501 Benson Bldg., Sioux City, IA 51104, Edward A. O'Donnell, Director, (same address as applicant). The daily operations will be managed by Edward A. O'Donnell, whose business address is 1004 29th Street, Sioux City, IA 51104. Applicant is affiliated with the following shipper or warehouse: None.

MC 130697F, filed November 28, 1979. Applicant's name and address are BROKERAGE COMPANY OF AMERICA, INC., 31–90 Steinway St., Astoria, NY 11103. The name under which operations will be performed is BROKERAGE COMPANY OF AMERICA, INC. Applicant is represented by Jack Pearce in this proceeding whose address is 1000 Connecticut Ave., N.W., Suite 1200, Washington, DC 20036. Following are the names and business address for all persons who are officers and directors, partners (including limited or "silent" partners), and first five principal shareholders, with their appropriate titles: Joseph F. Stern, sole owner, 17 Bradley Dr., Shoreham, NY 11786. The daily operations will be managed by Joseph F. Stern, whose business address is 17 Bradley Dr., Shoreham, NY 11786. Applicant is affiliated with the following shipper or warehouse: None.

MC 130707F, filed December 10, 1979. Applicant's name and address are UNITED VAN LINES, INC., One United Dr., Fenton, MO 63026. The name under which operations will be performed is UNITED VAN LINES, INC. Applicant is represented by B. W. LaTourette, Jr., in this proceeding whose address is 11 S. Meramec, Suite 1400, St. Louis, MO 63105. Following are the names and business addresses for all persons who are officers and directors, partners (including limited or "silent" partners), and first five principal shareholders, with their appropriate titles: Paul Corrigan, President and Shareholder, 2000 Westwood, Dearborn, MI 48124, Lloyd H. Meyer, Chairman of the Board and Shareholder, P.O. Box 4206, Bridgeport, CT 06607, Maurice Greenblatt, First Vice-President and Shareholder, P.O. Box W, Vineland, NJ 08360, Gene Anderson, Vice-President, Treasurer/Shareholder, P.O. Box 1464 Lubbock, TX 79408, Gerald P. Stadler, Vice-President, Secretary/Shareholder, P.O. Box 88, Torrance, CA 90507, Clifton D. Cox, Sr., Director, 5607 Forney Ave., Houston, TX 77036, Bruce E. Dusenberry, Director, P.O. Box 6107, Tucson, AZ 85733, Bill Larmore, Director, P.O. Box 3043, Wilmington, DE 19804, Weldon T. Lawrence, Jr., Director, P.O. Box 13025, Roanoke, VA 24030, Charles G. McDaniel, Director, P.O. Box 745, Fredericksburg, VA 22401, Charles S. Nichols, Jr., Director, P.O. Box 1628, Fort Worth, TX 76101, Ernie Nogg, Director, 7601 Dodge St. Omaha, NE 68114, Richard G. Reagan, Director, P.O. Box 123, Buffalo, NY 14225, John A. Sorenson, Director, 2400 Wisconsin, Downers Grove, IL 60515, Clyde H. Springer, Director, P.O. Box 110870, Nashville, TN 37211, Harvey Steinberg, Director, 901 Poplar St., Philadelphia, PA 19123, Thomas S. White, Director, 660 Edgewood Ave., N.E., Atlanta, GA 30312, and William L. Wooley, Director, P.O. Box 7066, Boise, ID 83707. The daily operations will be managed by Robert J. Baer, whose business address is One United Dr., Fenton, MO 63026. Applicant is affiliated with the following shipper or warehouse: None.

MC 130715F, filed December 11, 1979. Applicant's name and address are HOME-PACK TRANSPORT, INC., 57–48 49th St., Maspeth, NY, 11378. The name under which operations will be performed is HOME-PACK TRANSPORT, INC. Applicant is represented by Robert J. Gallagher in this proceeding whose address is Suite 1200, 1000 Connecticut Ave., NW, Washington, DC, 30036. Following are the names and business addresses for all persons who are officers and directors, partners (including limited or "silent" partners), and first five principal shareholders, with their appropriate titles: Martin L. Santini, President and Director, Santini Bros., Inc., 1405 Jerome Ave., Bronx, NY, 10452, James J. Rando, Vice President, Dorothea C. Santini, Secretary and Director, Martin L. Santini, Jr., Asst. Secretary and Director, George Mutterperl, Asst. Secretary and Director, Stephen Santini, Treasurer and Director, Ralph Imperato, Director, Fred Ruther, Director, Godfrey F. Santini, Director, Louis R. Santini, Director, William T. Santini, Director, Zachary M. Santini, Director, Robert Francesoni, Director, Leo Santini, Director; the principal shareholders are Santini Brothers, Inc. and Pasquale Santini. The business address of all of the above individuals and firms is the same as the president's. The daily operations will be managed by James J. Rando whose business address is the same as the president's. Applicant is affiliated with

the following shipper or warehouse: Santini Brothers, Inc.

MC 130735F, filed December 14, 1979. Applicant's name and address are J. A. TUCKER COMPANY, a corporation, 209 Harvard Ave., Westville, NJ, 08093. The name under which operations will be performed is J.A. TUCKER COMPANY. Applicant is represented by William J. Tucker in this proceeding whose address is the same as the applicant. Following are the names and business addresses for all persons who are officers and directors, partners (including limited or "silent" partners), and first five principal shareholders, with their appropriate titles: William J. Tucker-President-Treasurer (shareholder), and Barbara K. Tucker-Vice President and Secretary (shareholder). Both of the officers have the same address as the applicant. The daily operations will be managed by William J. Tucker, whose business address is the same as the applicant. Applicant is affiliate with the following shipper or warehouse: N/A.

Decision-Notice

Decided: January 9, 1980.

The following broker, freight forwarder or water carrier applications are governed by Special Rule 247 of the Commission's *Rules of Practice* (49 CFR § 1100.247). These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after the date notice of the application is published in the **Federal Register.** Failure to file a protest within 30 days will be considered as a waiver of opposition to the application. A protest under these rules shall comply with Rule 247(e)(3) of the Rules of Practice which requires that it set forth specifically the grounds upon which it is make, contain a detailed statement of protestant's interest in the proceeding, as specifically noted below, and specify with particularity the facts, matters, and things relied upon. The protest shall not include issues or allegations phrased generally. A protestant shall include a copy of the specific portion of its authority which it believes to be in conflict with that sought in the application, and describe in detail the method—whether by joinder, interline, or other means—by which protestant would use this authority to provide all or part of the service proposed. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission. A copy shall be served concurrently upon applicant's representative, or upon applicant if no representative is named. If the protest includes a request for oral hearing, the request shall meet the requirements of section 247(e)(4) of the special rules and shall include the certification required in that section.

Section 247(f) provides, in part, that an applicant which does not intend timely to prosecute its application shall promptly request that it be dismissed, and that failure to prosecute an application under the precedures of the Commission will result in its dismissal.

Further processing steps will be by Commission notice, decision, or letter which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication.*

Any authority granted may reflect administratively acceptable restrictive amendments to the service proposed below. Some of the applications may have been modified to conform to the Commission's policy of simplifying grants of operating authority.

Findings:

With the exceptions of those applications involving duly noted problems (e.g., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each applicant has demonstrated that its proposed service is either (a) required by the public convenience and necessity, or, (b) will be consistent with the public interest and the transportation policy of 49 U.S.C. § 10101. Each applicant is fit, willing, and able properly to perform the service proposed and to conform to the requirements of Title 79, Subtitle IV, United States Code, and the Commission's regulations. Except where specifically noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient protests, filed within 30 days of publication of this decision-notice (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. To the extent that the authority sought below may duplicate an applicant's existing authority, such duplication shall not be construed as conferring more than a single operating right.

Applicant's must comply with all specific conditions set forth in the grant or grants of authority within 90 days after the service of the notification of the effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

By the Commission, Review Board Number 2, Members Boyle, Eaton, and Liberman. Member Boyle not participating.

MC 130226 (Sub-1F), filed June 6, 1979. Applicant: PENINSULA MOTOR CLUB, a corporation, 1515 N. Westshore Blvd., P.O. Box 22087, Tampa, FL 33622. Representative: J. G. Dail, Jr., P.O. Box LL, McLean, VA 22101. To engage in operations, in interstate or foreign commerce, as a *broker*, at Bradenton, Fort Myers, Gainesville, Lakeland, Naples, Ocala, Pensacola, Port Richey, Sarasota, Tallahassee, Tampa, Panama City, Venice, and Winter Haven, FL, in arranging for the transportation by motor vehicle, of *passengers and their baggage*, in special or charter operations, between points in the United States (including AK and HI). Condition: Issuance of this license is subject to prior or coincidental cancellation, at applicant's written request, of license MC 130226, issued December 1, 1977. (Hearing site: Tampa, FL.)

MC 130399 (Sub-1F), filed August 31, 1979. Applicant: BARBARA S. PARDUE, d.b.a. PARDUE TOURS, Rt. 2, Box 112-A, Elkin, NC 28621. Representative: Barbara S. Pardue (same address as applicant). To engage in operations, in interstate or foreign commerce, as a *broker*, at Elkin, NC, in arranging for the transportation, by motor vehicle, of *passengers and their baggage*, in charter operations, beginning and ending at points in Yadkin, Alleghany, Forsyth, Iredell, and Surry Counties, NC, and extending to points in the United States (including AK and HI). (Hearing site: Winston-Salem, NC.)

MC 130457 (Sub-1F), filed October 9, 1979. Applicant: W. J. CONDREN, INC., 7510 Third Ave., Brooklyn, NY 11209. Representative: Larsh B. Mewhinney, 555 Madison Ave., New York, NY 10022. To engage in operations, in interstate or foreign commerce, as *a broker*, at New York, NY, in arranging for the transportation, by motor vehicle, of *passengers and their baggage*, in charter and special operations, between points in the United States (including AK and HI). Condition: Prior or coincidental cancellation, at carrier's written request, of its license in MC 130457, isued October 25, 1978. (Hearing site: New York, NY.)

MC 130597F, filed August 16, 1979. Applicant: ADVANTAGE TOURS, INC., P.O. Box 596, St. Helens, OR 97051. Representative: David C. White, 2400

SW Fourth Ave., Portland, OR 97201. To engage in operations, in interstate or foreign commerce, as *a broker* at St. Helens and Portland, OR, or arranging for the transportation, by motor vehicle, of *passengers and their baggage*, in charter and special operations, beginning and ending at points in Clackamas, Columbia, Multnomah and Washington Counties, OR and Clark and Cowlitz Counties, WA, and extending to points in the United States (including AK, but excluding HI). (Hearing site: Portland, OR.)

Note.—Applicant is cautioned that arrangements for charter parties or groups should be made in conformity with the requirements set forth in *Tauck Tours, Inc., Extension—New York, NY*, 54 M.C.C. 291 (1954).

MC 130598F, filed August 14, 1979. Applicant: WEST YALE ENTERPRISES, LTD., d.b.a. EXECUTIVE TOURS & TRANSPORTATION, 36 West Yale Loop, P.O. Box 18791, Irvine, CA 92713. Representative: Kenneth S. Kasdan, 18552 MacArthur Blvd., Suite 475, Irvine, CA 92715. To engage in operations, in interstate or foreign commerce, as a *broker*, at Irvine and Anaheim, CA, in arranging for the transportation, by motor vehicle, of *passengers and their baggage*, in charter or special operations, between Las Vegas, Henderson, Reno, Sparks, Carson City, and Stateline, NV, and points in Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura Counties, CA, and points in Maricopa County, AZ. (Hearing site: Santa Ana or Los Angeles, CA).

Note.—Applicant is cautioned that arrangements for charter parties or groups should be made in conformity with the requirements set forth in *Tauck Tours, Inc., Extension—New York, NY*, 54 M.C.C. 291 (1952).

MC 130608F, filed September 10, 1979. Applicant: ADRIAN W. AND NORMA E. COLEMAN, Sulphur Wells Road, P.O. Box 381, Belton, TX 76513. Representative: Adrian W. Coleman (same address as applicant). To engage in operations in interstate or foreign commerce, as a *broker*, at Belton, TX, in arranging for the transportation, by motor vehicle, of *passengers and their baggage*, in special and charter operations, between points in TX, OK, MO, NY, CT, RI, MA, NH, VT, NJ, ME, TN, AR, LA, MS, AL, GA, and FL. (Hearing site: Austin or Dallas, TX)

Note.—Applicant is cautioned that arrangements for charter parties or groups should be made in conformity with the requirements set forth in *Tauck Tours, Inc., Extension—New York, NY*, 54 M.C.C. 291 (1952).

MC 130609F, filed September 5, 1979. Applicant: B & C TRAVEL, INC., P.O. Box 766, 124 E. Maple St., Bryan, OH 43506. Representative: Ralph W. Gallagher, 218 W. High St., Bryan, OH 43506. To engage in operations, in interstate or foreign commerce, as a *broker*, at Bryan, OH, in arranging for the transportation, by motor vehicle, of *passengers and their baggage*, in special and charter operations, between points in the United States (including AK and HI). (Hearing site: Bryan or Toledo, OH.)

Note.—Applicant is cautioned that arrangements for charter parties or groups should be made in conformity with the requirements set forth in *Tauck Tours, Inc., Extension—New York, NY*, 54 M.C.C. 291 (1952).

MC 130616F, filed July 30, 1979. Applicant: CARAVAN TOURS, INC., Rural Delivery 3, Box 451, Wharton, NJ 07885. Representative: L. C. Major, Jr., Suite 400 Overlook Bldg., 6121 Lincolnia Road, Alexandria, VA 22312. To engage in operations, in interstate and foreign commerce, as a *broker*, at points in Jefferson Township, NJ, in arranging for the transportation, by motor vehicle, of *passengers and their baggage*, in special or charter operations, beginning and ending at points in Bergen, Essex, Hudson, Hunterdon, Middlesex, Monmouth, Ocean, Passaic, Somerset, Sussex, Union and Warren Counties, NJ and extending to points in the United States, (including AK and HI). (Hearing site: Ledgewood, NJ.)

Note.—Applicant is cautioned that arrangements for charter parties or groups should be made in conformity with the requirements set forth in *Tauck Tours, Inc., Extension—New York, NY*, 54 M.C.C. 291 (1954).

MC 130631F, filed October 25, 1979. Applicant's name and address are ERNEST CONLEY, 65 Scarff Ave., Burlington, VT. The name under which operations will be performed is GREEN MOUNTAIN BROKER'S. Applicant is represented by Ernest Conley in this proceeding whose address is 65 Scarff Ave., Burlington, VT. Following are the names and business addresses for all persons who are officers and directors, partners (including limited or "silent" partners), and first five principal shareholders, with their appropriate titles: Ernest Conley, sole owner, (same address as applicant). The daily operations will be managed by Ernest Conley, whose business address is Industrial Ave. "B" Williston, VT. Applicant is affiliated with the following shipper or warehouse: None.

MC 130637F, filed September 27, 1979. Applicant: NEAR AND FAR AWAY TOURS, INC., 6530 Arlington Boulevard, Falls Church, VA 22042. Representative: S. Harrison Kahn, Suite 733 Investment Bldg., Washington, DC 20005. To engage in operations, in interstate or foreign commerce, as a *broker*, at Falls Church, VA, in arranging for the transportation, by motor vehicle, of *passengers and their baggage*, in the same vehicle with passengers, in special or charter operations, between points in the United States (including AK and HI). (Hearing site: Washington, DC.)

Note.—Applicant is cautioned that arrangements for charter parties or groups should be made in conformity with the requirements set forth in *Tauck Tours, Inc., Extension—New York, NY*, 54 M.C.C. 291 (1954).

MC 130640F, filed October 11, 1979. Applicant: TRANSPORTATION BROKERS SERVICES, LTD., 201 60th St., Brooklyn, NY 11220. Representative: Sidney J. Leshin, 575 Madison Ave., New York, NY 10022. To engage in operations, in interstate or foreign commerce, as a *broker*, at points in Kings County, NY, in arranging for the transportation, by motor vehicle, of *passengers and their baggage*, in special and charter operations, beginning and ending at New York, NY, and points in Nassau and Westchester Counties, NY, and extending to points in the United States (except AK and HI). (Hearing site: New York, NY.)

Note.—Applicant is cautioned that arrangements for charter parties or groups should be made in conformity with the requirements set forth in *Tauck Tours, Inc., Extension—New York, NY*, 54 M.C.C. 291 (1952).

MC 130646F, filed September 27, 1979. Applicant: ACADEMIC TOURS, INC., 3530 W. Peterson Ave., Chicago, IL 60659. Representative: John E. Freechack, Suite 3200, 69 West Washington St., Chicago, IL 60602. To engage in operations, in interstate or foreign commerce, as a *broker*, at Chicago, IL, in arranging for the transportation, by motor vehicle, of *passengers and their baggage*, in special and charter operations, beginning and ending at Chicago, IL, and extending to points in the United States (including AK and HI). (Hearing site: Chicago, IL.)

Note.—Applicant is cautioned that arrangements for charter parties or groups should be made in conformity with the requirements set forth in *Tauck Tours, Inc., Extension—New York, NY*, 54 M.C.C. 291 (1954).

MC 130704F, filed November 27, 1979. Applicant: NBW TRAVEL, INC., 784 N. West St., Wichita, KS 67203. Representative: Brad T. Murphree, 814 Century Plaza Building, Wichita, KS 67202. To engage in operations, in interstate or foreign commerce, as a *broker*, at Wichita, KS, in arranging for

the transportation, by motor vehicle, of *passengers and their baggage, in special and charter operations,* beginning and ending at points in KS, and extending to points in the United States (including AK and HI). (Hearing site: Wichita, KS, or Kansas City, MO).

Note.—Applicant is cautioned that arrangements for charter parties or groups should be made in conformity with the requirements set forth in *Tauck Tours, Inc., Extension—New York, N.Y.,* 54 M.C.C. 291 (1952).

MC 130706F, filed December 5, 1979. Applicant: THE J.S. TAIRIOL COMPANY, a corporation, d.b.a. THE J.S. TAIRIOL TRAVEL AGENCY, 3300 Main St., Weirton, WV 26062. Representative: Matthew Magnone (same address as applicant). To engage in operations, in interstate or foreign commerce, as a *broker* at Weirton, WV, in arranging for the transportation, by motor vehicle, of *passengers and their baggage,* in special or charter operations, beginning and ending at Weirton, WV, and extending to points in the United States, (including AK and HI.). (Hearing site: Wheeling, WV, or Pittsburgh, PA.)

Note.—Applicant is cautioned that arrangements for charter parties or groups should be made in conformity with the requirements set forth in *Tauck Tours, Inc., Extension—New York, NY, 54 M.C.C. 291 (1954).*

MC 130725F, filed December 17, 1979. Applicant: FUN VACATIONS TRAVEL CENTER, INC., P.O. Box 7495, Daytona Beach, FL 32016. Representative: S. Harrison Kahn, Suite 733, Investment Building, 1511 K Street, N.W., Washington, DC 20005. To engage in operations, in interstate or foreign commerce, as a *broker,* at Daytona Beach, FL, in arranging for the transportation, by motor vehicle, of *passengers and their baggage,* in special or charter operations, between points in the United States, (including AK and HI). (Hearing site: Daytona Beach, FL.)

Note.—Applicant is cautioned that arrangements for charter parties or groups should be made in conformity with the requirements set forth in *Tauck Tours, Inc., Extension—New York, N.Y.,* 54 M.C.C. 291 (1952).

MC 130745F, filed October 19, 1979. Applicant: GWYN NORRIS d.b.a. Norris Tours, 1215 8th St., Eureka, CA 95501. Representative: James H. Gulseth, 100 Bush St., 21st Floor, San Francisco, CA 94104. To engage in operations, in interstate or foreign commerce, as a *broker,* at Eureka, CA, in arranging for the transportation, by motor vehicle, of *passengers and their baggage,* in special or charter operations, beginning and ending at points in Del Norte, Humboldt and Trinity Counties, CA, and extending to points in the United States (including AK and HI). (Hearing site: Eureka or San Francisco, CA.)

Note.—Applicant is cautioned that arrangements for charter parties or groups should be made in conformity with the requirements set forth in *Tauck Tours, Inc., Extension—New York, N.Y.,* 54 M.C.C. 291 (1952).

Permanent Ex-Water Authority Decisions

Decision-Notice

Decided: January 15, 1980.

The following applications are governed by 49 CFR 1062.3. Applicants seek to obtain motor common carrier authority to perform service within the commercial zone of port cities where the shipment has a prior or subsequent movement by maritime carrier. The full text and explanation of the rules are contained at 44 F.R. 7965, as corrected at 44 F.R. 37230.

The sole issue upon which these applications can be protested is the applicant's fitness to perform the service. Protests (an original and one copy) must be filed with the Commission within 30 days of the Federal Register publication. The protest must contain the *specific facts* being relied upon to challenge fitness, and must contain a certification that it has been served concurrently upon applicant's representative, or, if none if listed, upon the applicant. Applicant may file a reply statement to any protest. The filing of these statements will complete the record, unless it is later determined that more evidence must be supplied.

Further processing steps will be by commission notice, decision, or letter which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication.*

Any authority granted may reflect administratively acceptable restrictive amendments to the service proposed below. Some of the applications may have been modified to conform to the Commission's policy of simplifying grants of operating authority.

Findings:

With the exception of those applications involving duly noted problems (e.gs., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each common carrier applicant has demonstrated that its proposed service is required by the present and future public convenience and necessity.

Each applicant is fit, willing, and able to properly perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where specifically noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In those proceedings containing a statement or note that dual operations are or may be involved we find, preliminarily and in the absence of the issue being raised by a protestant, that the proposed dual operations are consistent with the public interest and the transportation policy of 49 U.S.C. 10101 subject to the right of the Commission, which is expressly reserved, to impose such terms, conditions or limitations as it finds necessary to insure that applicant's operations shall conform to the provisions of 49 U.S.C. 10930(a) (cormerly section 210 of the Interstate Commerce Act).

In the absence of legally sufficient protests, filed within 30 days of publication of this decision-notice (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of the decision-notice. To the extent that the authority sought below may duplicate an applicant's other authority, such duplication shall be construed as conferring only a single operating right.

Applicants must comply with all specific conditions set forth in the grant or grants of authority within 90 days after the service of the notification of the effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

By the Commission, Review Board Number 3, Members Parker, Hill, and Fortier.

MC 19778 (Sub-102F), filed July 4, 1979. Applicant: THE MILWAUKEE MOTOR TRANSPORTATION COMPANY, a corporation, 516 West Jackson Blvd., Suite 508, Chicago, IL 60606. Representative: Robert F. Munsell (address same as Applicant). To operate as a *common carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities,* (except classes A and B explosives), between points in the commercial zones of (a) Seattle, WA, (b) Tacoma, WA, and (c) Longview, WA, (d) Portland, OR, (e) Chicago, IL, (f) Milwaukee, WI, (g) Kenosha, WI, and

(h) Superior, WI, and (i) Duluth, MN, restricted to traffic having a prior or subsequent movement by water. (Hearing site: Seattle, WA, or Chicago, IL.)

MC 144268 (Sub-1F), filed July 26, 1979. Applicant: HIRSON TRUCKING, INC., 591 Brush Street, Oakland, CA 94607. Representative: Thomas M. Loughran, 100 Bush Street, 21st Floor, San Francisco, CA 94104. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* (except classes A and B explosives), between points in the commerical zones of (a) San Francisco, CA, (b) Oakland, CA, (c) Alameda, CA, and (d) Richmond, CA, restricted to traffic having a prior or subsequent movement by water. (Hearing site: San Francisco, CA.)

MC 147748F, filed July 6, 1979. Applicant: R. C. KERCHEVAL AND J. J. RIEDINGER, a partnership, d.b.a. OVERLAND COMMERCIAL COMPANY, 2214 4th Ave. South, Seattle, WA 98134. Representative: J. J. Riedinger (address same as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* (except classes A and B explosives), between points in the commerical zones of (a) Seattle, WA, and (b) Tacoma, WA, restricted to traffic having a prior or subsequent movement by water. (Hearing site: Seattle, WA.)

MC 147889F, filed July 5, 1979. Applicant: JOHN RUSSEL LONG and LESLIE LOUISE LONG a partnership, d.b.a. LONG TRANSPORT, 13111 Player, Houston, TX 77045. Representative: John W. Carlisle, 6746 De Moss, Suite 194, Houston, TX 77074. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* (except classes A and B explosives), between points in the commerical zones of (a) Houston, TX, (b) Galveston, TX, (c) Texas City, TX, (d) Baytown, TX, (e) Beaumont, TX, (f) Port Arthur, TX, (g) Orange, TX, (h) La Porte, TX, (i) Port Lavaca, TX, (j) Corpus Christi, TX, (k) Bay City, TX, (l) Port O'Connor, TX, (m) Brownsville, TX, and (n) Port of Brownsville, TX, and (o) New Orleans, LA, (p) Baton Rouge, LA, and (q) Lake Charles, LA, restricted to traffic having a prior or subsequent movement by water. (Hearing site: Houston, TX.)

MC 14809F, filed July 2, 1979. Applicant: COPELAND TRUCKING CO., INCORPORATED, 5000 Pughsville, Rd., Chesapeake, VA 23321. Representative: George Minor, Jr., 539 High St., P.O. Box E, Portsmouth, VA 23705. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* (except classes A and B explosives), between (a) Norfolk, VA, (b) Portsmouth, VA, (c) Virginia Beach, VA, and (d) Suffolk, VA, restricted to traffic having a prior or subsequent movement by water. (Hearing site: Richmond or Roanoke, VA.)

MC 148102F, filed July 2, 1979. Applicant: BEHRING INTERNATIONAL EXPORT PACKERS, INC., P.O. Box 96147, Houston, TX 77015. Representative: John W. Carlisle, 6746 De Moss Suite 194, Houston, TX 77074. To operate as a *common carrier* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* (except classes A and B explosives), between the points in the commercial zones of (a) Houston, TX, (b) Galveston, TX, (c) Texas City, TX, (d) Baytown, TX, (e) Beaumont, TX, (f) Port Arthur, TX, (g) Orange, TX, (h) La Porte, TX, (i) Port Lavaca, TX, (j) Corpus Christi, TX, (k) Bay City, TX, (l) Port O'Connor, TX, (m) Brownsville, TX, (n) Port of Brownsville, TX, (o) New Orleans, LA, (p) Baton Rouge, LA, and (q) Lake Charles, LA, restricted to traffic having a prior or subsequent movement by water. (Hearing site: Houston, TX.)

MC 148103F, filed July 2, 1979. Applicant: BIG JOHN TRANSPORTATION CO., a corporation, P.O. Box 35018, Houston, TX 77035. Representative: John W. Carlisle, 6746 De Moss, Suite 194, Houston, TX 77074. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities*, (except classes A and B explosives), between points in the commercial zones of (a) Houston, TX, (b) Galveston, TX, (c) Texas City, TX, (d) Baytown, TX, (e) Beaumont, TX, (f) Port Arthur, TX, (g) Orange, TX, (h) La Porte, TX, (i) Port Lavaca, TX, (j) Corpus Christi, TX, (k) Bay City, TX, (l) Port O'Connor, TX, (m) Brownsville, TX, (n) Port of Brownsville, TX, (o) New Orleans, LA, (p) Baton Rouge, LA, and (q) Lake Charles, LA, restricted to traffic having a prior or subsequent movement by water. (Hearing site: Houston, TX.)

MC 148104F, filed July 2, 1979. Applicant: MALCOLM CARLISLE & CAROLYN SAGER, d.b.a. CARLISLE & SAGER TRUCKING CO., 6422 Brookshire, Houston, TX 77023. Representative: John W. Carlisle, 6746 Des Moss, Suite 194, Houston, TX 77074. To operate as a *common carrier*, by motor vehicle, in interstate of foreign commerce, over irregular routes, transporting *general commodities* (except classes A and B explosives), between (a) Houston, TX, (b) Galveston, TX, (c) Beaumont, TX, (d) Port Arthur, TX, (e) Orange, TX, (f) Port Lavaca, TX, (g) Corpus Christi, TX, (h) Bay City, TX, (i) Port O'Connor, TX, (j) Brownsville, TX, (k) New Orleans, LA, (l) Baton Rouge, LA, and (m) Lake Charles, LA, restricted to traffic having a prior or subsequent movement by water. (Hearing site: Houston, TX.)

MC 148105F, filed July 2, 1979. Applicant: OVERLAND EXPRESS, INC., 9446 Manchester, Houston, TX 77012. Representative: John W. Carlisle, 6746 Des Moss, Suite 194, Houston, TX 77074. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* (except classes A and B explosives), between (a) Houston, TX, (b) Galveston, TX, (c) Beaumont, TX, (d) Port Arthur, TX, (e) Orange, TX, (f) Port Lavaca, TX, (g) Corpus Christi, TX, (h) Bay City, TX, (i) Port O'Connor, TX, (j) Brownsville, TX, (k) New Orleans, LA, (l) Baton Rouge, LA, and (m) Lake Charles, LA, restricted to traffic having a prior or subsequent movement by water. (Hearing site: Houston, TX.)

Permanent Authority Decisions

Decision-Notice—Substitution Applications: Single-Line Service for Existing Joint-Line Service

Decided: January 16, 1980.

The following applications, filed on or after April 1, 1979, are governed by the special procedures set forth in Part 1062.2 of Title 49 of the Code of Federal Regulations (49 CFR 1062.2).

The rules provide, in part, that carriers may file petitions with this Commission for the purpose of seeking intervention in these proceedings. Such petitions may seek intervention either with or without leave as discussed below. However, all such petitions must be filed in the form of verified statements, and contain all of the information offered by the submitting party in opposition. Petitions must be filed with the Commission within 30 days of publication of this decision-notice.

Petitions for intervention without leave (i.e. automatic intervention), may be filed only by carriers which are, or have been, participating in the joint-line service sought to be replaced by applicant's single-line proposal, and then only if such participation has occured within the one-year period immediately proceeding the

application's filing. Only carriers which fall within this filing category can base their opposition upon the issue of the public need for the proposed service.

Petitions for intervention with leave may be filed by any carrier. The nature of the opposition; however, must be limited to issues other than the public need for the proposed service. The appropriate basis for opposition, i.e. applicant's fitness, may include challenges concerning the veracity of the applicant's supporting information, and the bona-fides of the joint-line service sought to be replaced (including the issue of its substantiality). Petitions containing only unsupported and undocumented allegations will be rejected.

Petitions not in reasonable compliance with the requirements of the rules may be rejected. An original and one copy of the petition to intervene shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or upon applicant if no representative is named.

Further processing steps will be by Commission notice, decision, or letter which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication.*

Any authority granted may reflect administratively acceptable restrictive amendments to the service proposed below. Some of the applications may have been modified to conform to the Commission's policy of simplifying grants of operating authority.

Findings: With the exception of those applications involving duly noted problems (e.gs., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each applicant has demonstrated that its proposed service is required by the present and future public convenience and necessity. Each applicant is fit, willing, and able properly to perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where specifically noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In those proceedings containing a statement or note that dual operations are or may be involved we find, preliminarily and in the absence of the issue being raised by a petitioner, that the proposed dual operations are consistent with the public interest and the transportation policy of 49 U.S.C. 10101 subject to the right of the Commission, which is expressly reserved, to impose such terms, conditions or limitations as it finds necessary to insure that applicant's operations shall conform to the provisions of 49 U.S.C. 10930 (a) (formerly section 210 of the Interstate Commerce Act).

In the absence of legally sufficient petitions for intervention, filed within 30 days of publication of this decision-notice (March 24, 1980) (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of the decision-notice. To the extent that the authority sought below may duplicate an applicant's other authority, such duplication shall be construed as conferring only a single operating right.

Applicants must comply with all specific conditions set forth in the grant or grants of authority within 90 days after the service of the notification of the effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

By the Commission, Review Board Number 4, Members Fitzpatrick, Fisher and Reed.

MC 24379 (Sub-50F), filed June 11, 1979. Applicant: LONG TRANSPORTATION COMPANY, a corporation 14650 West Eight Mile Road, Oak Park, MI 48232. Representative: A. Charles Tell, 100 East Broad St., Columbus, OH 43215. To operate as a *common carrier*, by motor vehicles, in interstate or foreign commerce, over regular routes, transporting *general commodities*, (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Adrian, MI, as an off-route point in connection with applicant's otherwise authorized operations. (Hearing site: Detroit, MI.)

Note.—The sole purpose of this application is to substitute single-line operations for joint-line.

Motor Carrier Alternate Route Deviations

The following letter-notices to operate over deviation routes for operating convenience only have been filed with the Commission under the Deviation Rules—Motor Carrier of Property (49 CFR 1042.4(c)(11)).

Protest against the use of any proposed deviation route herein described may be filed with the Commission in the manner and form provided in such rules at any time, but will not operate to stay commencement of the proposed operations unless filed on or before March 24, 1980.

Each applicant states that there will be no significant effect on either the quality of the human environment or energy policy and conservation.

Motor Carriers of Property

MC 11220 (Deviation No. 56), GORDONS TRANSPORTS, INC., 184 W. McLemore Ave., Memphis, TN 38101, filed January 15, 1980. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Kansas City, MO, over Interstate Hwy 70 to Indianapolis, IN, and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Kansas City, MO over U.S. Hwy 71 to junction U.S. Hwy 62, then over U.S. Hwy 62 to Gateway, AR, then over AR Hwy 47 to the Arkansas-Missouri State line, then over MO Hwy 37 to Monett, MO, then over U.S. Hwy 60 to Springfield, MO, then over U.S. Hwy 66 to St. Louis, MO, then over U.S. Hwy 50 to Vincinnes, IN, then over U.S. Hwy 41 to Terre Haute, IN, then over U.S. Hwy 40 to Indianapolis, IN, and return over the same route.

MC 80430 (Deviation No. 26), GATEWAY TRANSPORTATION CO., INC., 455 Park Plaza Drive, La Crosse, WI 54601, filed January 9, 1980. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Albany, NY over Interstate Hwy 87 to junction Garden State Parkway, then over Garden State Parkway to junction Interstate Hwy 95, then over Interstate Hwy 95 to junction Interstate Hwy 85, then over Interstate Hwy 85 to Atlanta, GA, and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Albany, NY over US Hwy 20 to junction NY Hwy 92, then over NY Hwy 92 to Syracuse, NY, then over NY Hwys 57, 370 and 31 to Rochester, NY, then over NY Hwy 33 to Buffalo, NY, then over US Hwy 20 to junction OH Hwy 45, then over OH Hwy 45 to junction OH Hwy 84, then over OH Hwy 84 to junction US Hwy 20, then over US Hwy 20 to Cleveland, OH, then over US Hwy 42 to Mansfield, OH, then over US Hwy 30 to junction US Hwy 25, then over US Hwy 25 to Cincinnati, OH,

then over US Hwy 50 to Seymour, IN, then over US Hwy 31 to Louisville, KY, then over US Hwy 31W to Nashville, TN, then over Interstate Hwys 24 and 75 to Atlanta, GA and return over the same route.

MC 80430 (Deviation No. 27), GATEWAY TRANSPORTATION CO., INC., 455 Park Plaza Drive, La Crosse, WI 54601, filed January 11, 1980. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Albany, NY over Interstate Hwy 87 to junction Garden State Parkway, then over Garden State Parkway to junction Interstate Hwy 95, then over Interstate Hwy 95 to Savannah, GA and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Albany, NY over US Hwy 20 to junction NY Hwy 92, then over NY Hwy 92 to Syracuse, NY, then over NY Hwys 57, 370 and 31 to Rochester, NY, then over NY Hwy 33 to Buffalo, NY, then over US Hwy 20 to junction OH Hwy 45, then over OH Hwy 45 to junction OH Hwy 84, then over OH Hwy 84 to junction US Hwy 20, then over US Hwy 20 to Cleveland, OH, then over US Hwy 42 to Mansfield, OH, then over US Hwy 30 to junction US Hwy 25, then over US Hwy 25 to Cincinnati, OH, then over US Hwy 50 to Seymour, IN, then over US Hwy 31 to Louisville, KY, then over US Hwy 31W to Nashville, TN, then over Interstate Hwys 24 and 75 to Atlanta, GA, then over GA Hwys 42 and 87 to Macon, GA, then over US Hwy 80 to Savannah, GA and return over the same route.

MC 109847 (Deviation No. 7), BOSS-LINCO LINES, INC., 3909 Genesee St., Cheektowaga, NY 14225, filed January 17, 1980. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junctions US Hwy 22 and US Hwy 119 near Blairsville, PA over US Hwy 22 to junction US Hwy 220 near Hollidaysburg, then over US Hwy 220 to junction Interstate Hwy 80 near Milesburg, PA and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Pittsburgh, PA over US Hwy 22 to junction US Hwy 119 near Blairsville, PA, then over US Hwy 119 to junction US Hwy 219, then over US Hwy 219 to junction Interstate Hwy 80 near DuBoise, then over Interstate Hwy 80 to junction New Jersey Hwy 17, then over New Jersey Hwy 17, to Carlstadt, NJ.

Motor Carrier Intrastate Application(s)

Notice

The following application(s) for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to Section 10931 (formerly Section 206(a)(6)) of the Interstate Commerce Act. These applications are governed by Special Rule 245 of the Commission's *General Rules of Practice* (49 CFR 1100.245), which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall *not* be addressed to or filed with the Interstate Commerce Commission.

California Docket No. 59319, filed December 4, 1979. Applicant: S. ROSS TRUCKING COMPANY, INC., 2680 Dunn Road, Hayward, CA 94545. Representative: Ann M. Pougiales, Loughran & Hegarty, 100 Bush St., San Francisco, CA 94104. Certificate of Public Convenience and Necessity sought to operate a freight service, as follows: Transportation of: General commodities as follows: Between all points and places in the San Francisco Territory as described in Note A. Between all points and places in the Los Angeles Basin Territory as described in Note B. Between all points and places in the San Diego Territory as described in Note C. Between all points and places on and within 25 statute miles laterally of the following named highways: Interstate Highway 101 between Santa Rosa and Los Angeles, inclusive. Interstate Highway 80 between San Francisco and Roseville, inclusive. State Highway 4 between its intersection with Interstate Highway 80 near Pinole, and Stockton, inclusive. Interstate Highway 5 between Sacramento and the Mexican border, inclusive. State Highway 1 between San Francisco and its intersection with Interstate Highway 101 at San Luis Obispo, inclusive. State Highway 99 and Temporary Interstate Highway 5 between Sacramento and Wheeler Ridge, inclusive. Interstate Highway 10 between the eastern boundary of the Los Angeles Basin Territory and Indio, inclusive. Temporary Interstate Highway 15E between its intersection with Interstate Highway 10 near Riverside and its junction with Interstate Highway 15, then over Interstate Highway 15 to San Diego, inclusive. Interstate Highway 580 between its intersection with Interstate Highway 80 and its intersection with Interstate Highway 5, inclusive. In performing the service herein authorized, carrier may make use of any and all streets, roads, highways and bridges necessary or convenient for the performance of said service. Except that pursuant to the authority herein granted carrier shall not transport any shipments of: Used household goods, personal effects and office, store and institution furniture, fixtures and equipment not packed in salesmen's hand sample cases, suitcases, overnight or boston bags, briefcases, hat boxes, valises, traveling bags, trunks, lift vans, barrels, boxes, cartons, crates, cases, baskets, pails, kits, tubs, drums, bags (jute, cotton, burlap or gunny) or bundles (completely wrapped in jute, cotton burlap, or gunny) fibreboard, or straw matting). Automobiles, trucks and buses, viz.: new and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses and taxis, freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis. Livestock, viz.: barrows, boars, bulls, butcher hogs, calves, cattle, cows, dairy cattle, ewes, feeder pigs, gilts, goats, heifers, hogs, kids, lambs, oxen, pigs, rams (bucks), sheep, sheep camp outfits, sows, steers, stags, swine or wethers. Liquids, compressed gases, commodities in semiplastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles. Commodities when transported in bulk in dump-type trucks or trailers or in hopper-type trucks or trailers. Commodities when transported in motor vehicles equipped for mechanical mixing in transit. Logs.

Note A.—San Francisco Territory: San Francisco Territory includes all the City of San Jose and that area embraced by the following boundary: Beginning at the point the San Francisco-San Mateo County Line meets the Pacific Ocean; thence easterly along said County Line to a point one mile west of State Highway 82; southerly along an imaginary line one mile west of and paralleling State Highway 82 to its intersection with Southern Pacific Company right-of-way at Arastradero Road; southeasterly along the Southern Pacific Company right-of-way to Pollard Road, including industries served by the Southern Pacific Company spurline extending approximately two miles southwest from Simla to Permanente; easterly along Pollard Road to W. Parr Avenue; easterly along W.

Parr Avenue to Capri Drive; southerly along Capri Drive to Division Street; easterly along Division Street to the Southern Pacific Company right-of-way; southerly along the Southern Pacific Company right-of-way to the Campbell-Los Gatos City Limits; easterly along said limits and the prolongation thereof to South Bascom Avenue (formerly San Jose-Los Gatos Road); northeasterly along South Bascom Avenue to Foxworthy Avenue; easterly along Foxworthy Avenue to Almaden Road; southerly along Almaden Road to Hillsdale Avenue; easterly along Hillsdale Avenue to State Highway 82; northwesterly along State Highway 82 to Tully Road; northeasterly along Tully Road and the prolongation thereof to White Road; northwesterly along White Road to McKee Road; southwesterly along McKee Road to Capitol Avenue; northwesterly along Capitol Avenue to State Highway 238 (Oakland Road); northerly along State Highway 238 to Warm Springs; northerly along State Highway 238 (Mission Blvd.) via Mission San Jose and Niles to Hayward; northerly along Foothill Blvd. and MacArthur Blvd. to Seminary Avenue; easterly along Seminary Avenue to Mountain Blvd.; northerly along Mountain Blvd. to Warren Blvd. (State Highway 13); northerly along Warren Blvd. to Broadway Terrace; westerly along Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland Boundary Line; northerly along said boundary line to the campus boundary of the University of California; westerly, northerly and easterly along the campus boundary to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to San Pablo Avenue (State Highway 123); northerly along San Pablo Avenue to and including the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco waterfront at the foot of Market Street; westerly along said waterfront and shoreline to the Pacific Ocean; southerly along the shoreline of the Pacific Ocean to point of beginning.

Note B.—Los Angeles Basin Territory: Los Angeles Basin Territory includes that area embraced by the following boundary: Beginning at the point the Ventura County-Los Angeles County Boundary Line intersects the Pacific Ocean; thence northeasterly along said county line to the point it intersects State Highway 118, approximately two miles west of Chatsworth; easterly along State Highway 118 to Sepulveda Boulevard; northerly along Sepulveda Boulevard to Chatsworth Drive; northeasterly along Chatsworth Drive to the corporate boundary of the City of San Fernando; westerly and northerly along said corporate boundary of the City of San Fernando to Maclay Avenue; northeasterly along Maclay Avenue and its prolongation to the Angeles National Forest Boundary; southeasterly and easterly along the Angeles National Forest and San Bernardino National Forest Boundary to Mill Creek Road (State Highway 38); westerly along Mill Creek Road to Bryant Street; southerly along Bryant Street to and including the unincorporated community of Yucaipa; westerly along Yucaipa Boulevard to Interstate Highway 10; northwesterly along Interstate Highway 10 to Redlands Boulevard; northwesterly along Redlands Boulevard to Barton Road; westerly along Barton Road to La Cadena Drive; southerly along La Cadena Drive to Iowa Avenue; southerly along Iowa Avenue to State Highway 60; southeasterly along State Highway 60 and U.S. Highway 395 to Nuevo Road; easterly along Nuevo Road via Nuevo and Lakeview to State Highway 79; southerly along State Highway 79 to State Highway 74; thence westerly to the corporate boundary of the City of Hemet; southerly, westerly and northerly along said corporate boundary to The Atchison, Topeka & Santa Fe right-of-way; southerly along said right-of-way to Washington Road; southerly along Washington Road through and including the unincorporated community of Winchester to Benton Road; westerly along Benton Road to Winchester Road (State Highway 79) to Jefferson Avenue; southerly along Jefferson Avenue to U.S. Highway 395; southerly along U.S. Highway 395 to the Riverside County-San Diego County Boundary Line; westerly along said boundary line to the Orange County-San Diego County Boundary Line; southerly along said boundary line to the Pacific Ocean; northerly along the shoreline of the Pacific Ocean to point of beginning, including the point of March Air Force Base.

Note C.—San Diego Territory: The San Diego Territory includes that area embraced by following an imaginary line starting at a point approximately four miles north of La Jolla on the Pacific Coast shoreline running east to Miramar on U.S. Highway 395; thence following an imaginary line running southeasterly to Lakeside on State Highway 67; thence southerly on County Road S-17 (San Diego County) and its prolongation to State Highway 94; easterly on State Highway 94 to Jamul; thence due south following an imaginary line to the California-Mexico Boundary Line; thence westerly along the boundary line to the Pacific Ocean and north along the shoreline to point of beginning.

Tennessee Docket No. MC 7916, filed December 6, 1979. Applicant: EXPRESS SERVICE, INC., P.O. Box 263, Antioch, TN 37013. Representative: Bryan E. Hubbard, P.O. Box 263, Antioch, TN 37013. Certificate of Public Convenience and Necessity sought to operate a freight service, as follows: Transportation of: (1) Parts, supplies, accessories and associated items for: automobiles, trucks, farm equipment, earth moving equipment and industrial machinery, (2) printed matter and associated items, (3) general commodities which have a prior or subsequent movement by air-between Nashville, TN, and its commercial zone on the one hand, and, on the other, points in Montgomery, Robertson, Sumner, Macon, Trousdale, Cheatham, Wilson, Smith, Putnam, Dekalb, White, Williamson, Rutherford, Cannon, Maury, Marshall, Bedford, Lawrence, Giles and Lincoln Counties, TN, over irregular routes. Intrastate, interstate and foreign commerce authority sought. Hearing: Date, time and place not yet fixed. Requests for procedural information should be addressed to Tennessee Public Service Commission, C1—Cordell Hull Building, Nashville, TN, and should not be directed to the Interstate Commerce Commission.

Irregular-Route Motor Common Carriers of Property—Elimination of Gateway Letter Notices

Date

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's *Gateway Elimination Rules* (49 CFR 1065), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before March 3, 1980. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will *not* operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

The following applicants seek to operate as a *common carrier*, by motor vehicles, over irregular routes.

MC 107012 (Sub-E429), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New Furniture, Crated*, (1) From points in SC, to points in AZ, CA and TX (*Camden, AR). (2) From points in SC, to points in CO, ID, KS, MT, NV, OR SD, UT, WA and WY (*Greene County, AR). (3) From points in SC, to points in NM and OK (*Little Rock, AR). (4) From points in SC, to points in ND (*Burlington, IA). (5) From points in Allendale, Bamberg, Barnwell, Beaufort, Berkely, Charleston, Colleton, Dorchester, Hampton, Jasper and Orangeburg Counties, SC, to points in Bond, Calhoun, Christian, Clinton, Effingham, Fayette, Greene, Jersey, Macoupin, Madison, Monroe, Montgomery, Morgan, Pike, Saint Clair, Sangamon, Scott and Shelby Counties, IL (*Greene County, AR); points in IA

(*Greene County, AR); Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Rapids, Saint Landry, Vernon, Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Reo River, Sabine and Webster Parishes, LA (*Camden, AR); Beltrami, Clearwater, Kittson, Koochiching, Lake of the Woods, Mahnomen, Marshall, Norman, Pennington, Polk, Red Lake, Roseau, Anoka, Blue Earth, Carver, Chisago, Dakota, Dodge, Faribault, Fillmore, Freeborn, Good Hue, Hennepin, Houston, Isanti, Kanabec, LeSueur, McLeod, Mille Lacs, Mower, Nicollet, Olmstead, Pine, Ramsey, Rice, Scott, Sherburne, Sibley, Steele, Wabasha, Wasela, Washington, Winona, Wright, Brown, Cottonwood, Jackson, Lincoln, Lyon, Martin, Murray, Nobles, Pipestone, Redwood, Rock, Watonwan, Becker, Benton, Big Stone, Cass, Chippewa, Clay, Crow Wing, Douglas, Grant, Hubbard, Kandiyohi, Lac Qui Parle, Meeker, Morrison, Otter Tail, Pope, Renville, Stearns, Stevens, Swift, Todd, Traverse, Wadena, Wilkin and Yellow Medicine Counties, MN (*Green County, AR): points in ND (*Greene County, AR). (6) From points in Aiken, Calhoun, Chesterfield, Darlington, Fairfield, Keeshaw, Lancaster, Lee, Lexington, Marlboro, Richland and Sumter Counties, SC, to points in Appanoose, Boone, Clarke, Dallas, Decatur, Greene, Grundy, Hamilton, Hardin, Jasper, Lucas, Madison, Mahaska, Marion, Marshall, Monroe, Polk, Poweshiek, Story, Tama, Warren, Wayne, Webster, Benton, Cedar, Clinton, Davis, Des Moines, Dubuque, Henry, Iowa, Jackson, Jefferson, Johnson, Jones, Keokuk, Lee, Linn, Louisa, Muscatine, Scott, Van Buren, Wapello, Washington, Adair, Adams, Audubon, Cass, Fremont, Guthrie, Harrison, Mills, Montgomery, Page, Pottawattamie, Ringgold, Shelby, Taylor, Union, Buena Vista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickinson, Emmet, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux and Woodbury Counties, IA (*Greene County, AR); Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Rapids, Saint Landry, Vernon, Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Reo River, Sabine and Webster Parishes, LA (*Camden, AR); Anoka, Blue Earth, Carver, Chisago, Dakota, Dodge, Faribault, Fillmore, Freeborn, Good Hue, Hennepin, Houston, Isanti, Kanabec, LeSueur, McLeod, Mille Lacs, Mower, Nicollet, Olmstead, Pine, Ramsey, Rice, Scott, Sherburne, Sibley, Steele, Wabasha, Wasela, Washington, Winona, Wright, Brown, Cottonwood, Jackson, Lincoln, Lyon, Martin, Murray, Nobles, Pipestone, Redwood, Rock, Watonwan, Becker, Benton, Big Stone, Cass, Chippewa, Clay, Crow Wing, Douglas, Grant, Hubbard, Kandiyohi, Lac Qui Parle, Meeker, Morrison, Otter Tail, Pope, Renville, Stearns, Stevens, Swift, Todd, Traverse, Wadena, Wilkin and Yellow Medicine Counties, MN (*Greene County, AR); points in ND (*Greene County, AR). (7) From points in Clarendon, Dillon, Florence, Georgetown, Horry, Marion and Williamsburg Counties, SC, to points in Appanoose, Boone, Clarke, Dallas, Decatur, Greene, Grundy, Hamilton, Hardin, Jasper, Lucas, Madison, Mahaska, Marion, Marshall, Monroe, Polk, Poweshiek, Story, Tama, Warren, Wayne, Webster, Benton, Cedar, Clinton, Davis, Des Moines, Dubuque, Henry, Iowa, Jackson, Jefferson, Johnson, Jones, Keokuk, Lee, Linn, Louisa, Muscatine, Scott, Van Buren, Wapello, Washington, Adair, Adams, Audubon, Cass, Fremont, Guthrie, Harrison, Mills, Montgomery, Page, Pottawattamie, Ringgold, Shelby, Taylor, Union, Buena Vista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickinson, Emmet, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux and Woodbury Counties, IA (*Greene County, AR); Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Rapids, Saint Landry, Vernon, Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Reo River, Sabine and Webster Parishes, LA (*Camden, AR); (Brown, Cottonwood, Jackson, Lincoln, Lyon, Martin, Murray, Nobles, Pipestone, Redwood, Rock, Watonwan, Becker, Benton, Big Stone, Cass, Chippewa, Clay, Crow Wing, Douglas, Grant, Hubbard, Kandiyohi, Lac Qui Parle, Meeker, Morrison, Otter Tail, Pope, Renville, Stearns, Stevens, Swift, Todd, Traverse, Wadena, Wilkin, and Yellow Medicine Counties, MN (*Greene County, AR); points in ND (*Greene County, AR). (8) From points in Abbeville, Anderson, Greenville, Ocomee and Pickens Counties, SC, to points in Appanoose, Boone, Clarke, Dallas, Decatur, Greene, Grundy, Hamilton, Hardin, Jasper, Lucas, Madison, Mahaska, Marion, Marshall, Monore, Polk, Poweshiek, Story, Tama, Warren, Wayne, Webster, Adair, Adams, Audubon, Cass, Fremont, Guthrie, Harrison, Mills, Montgomery, Page, Pottawattamie, Ringgold, Shelby, Taylor, Union, Buena Vista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickinson, Emmet, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux and Woodbury Counties, IA (*Greene County, AR); Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Rapids, Saint Landry, Vernon, Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Reo River, Sabine and Webster Parishes, LA (*Camden, AR): Brown, Cottonwood, Jackson, Lincoln, Lyon, Martin, Murray, Nobles, Pipestone, Redwood, Rock and Watonwan Counties, MN (*Greene County, AR); points in ND (*Greene County, AR). (9) From points in Cherokee, Chester, Edgefield, Greenwood, Lamens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC, to points in Appanoose, Boone, Clarke, Dallas, Decatur, Greene, Grundy, Hamilon, Hardin, Jasper, Lucas, Madison, Mahaska, Marion, Marshall, Monroe, Polk, Poweshiek, Story, Tama, Warren, Wayne, Webster, Adair, Adams, Audubon, Cass, Fremont, Guthrie, Harrison, Mills, Montgomery, Page, Pottawattamie, Ringgold, Shelby, Taylor, Union, Buena Vista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickinson, Emmet, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux and Woodbury Counties, IA (*Greene County, AR); Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Rapids, Saint Landry, Vernon, Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier,

Caddo, Claiborne, DeSoto, Natchitoches, Reo River, Sabine and Webster Parishes, LA (*Camden, AR): Brown, Cottonwood, Jackson, Lincoln, Lyon, Martin, Murray, Nobles, Pipestone, Redwood, Rock and Watonwan Counties, MN (*Greene County, AR); Adams, Billings, Bowman, Burleigh, Dunn, Emmons, Golden Valley, Grant, Hettinger, Mercer, Morton, Oliver, Sioux, Slope, Stark, Benson Cavalier, Pembina, Pierce, Ramsey, Rolette, Sheridan, Towner, Walsh, Wells, Bottineau, Burke, McHenry, McLean, Mountrail, Renville, Ward, Divide, McKenzie and Williams Counties, ND (*Greene County, AR). (Gateways eliminated: Asterisked.) The purpose of this filing is to eliminate the gateways indicated by asterisks above.

MC 107012 (Sub-E806), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Grist (same as above). *Commercial and Institutional Fixtures and Store and Office Equipment, Crated,* (1) From points in OH to points in AZ, AR, NM and TX. (2) From points in Adams, Brown, Butler, Champaign, Clark, Clermont, Clinton, Darke, Greene, Hamilton, Hamilton, Highland, Miami, Montgomery, Preble, Shelby and Warren Counties, OH, to points in CA; Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley, Washington, Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Cassia, Clark, Franklin, Fremont, Jefferson, Jerome, Lincoln, Madison, Minidoka, Oneida and Power Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton and Stevens Counties, KS; Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Rapids, Saint Landry, Vernon, Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Oauchita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Reo River, Sabine and Webster Parishes, LA; Adams, Amite, Franklin, Jefferson, Jefferson Davis, Lawrence, Lincoln, Marion, Pike, Walthall and Wilkinson Counties, MS; points in NV; points in OR; Beaver, Iron, Washington, Carbon, Daggett, Duchesme, Emergy, Grand, San Juan, Uimtah, Garfield, Juab, Kane, Millard, Piute, Sanpete, Sevier and Wayne Counties, UT; points in WA. (3) From points in Ashland, Ashtabula, Carroll, Columbiana, Cuyahoga, Erie, Geauga, Harrison, Holmes, Huron, Jefferson, Lake, Lorain, Mahoning, Medina, Portage, Stark, Summit, Trumbull, Tuscarawas and Wayne Counties, OH, to points in CA; Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saugache, San Juan, San Miguale, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Herfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton and Stevens Counties, KS; points in LA; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Covington, Forrest, George, Greene, Hancok, Harrison, Jackson, Jones, Lamar, Pearl River, Perry, Stone, Wayne, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith, Winston, Adams, Amite, Franklin, Jefferson, Jefferson Davis, Lawrence, Lincoln, Marion, Pike, Walthall and Wilkinson Counties, MS; Clark, Lincoln, Esmeralda, Eureka, Lander and Nye Counties, NV; Crook, DeSchutes, Gilliam, Hood River, Jefferson, Sherman, Wasco, Wheeler, Coos, Curry, Douglas, Jackson and Josephine Counties, OR; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; Beaver, Iron, Washington, Carbon, Daggett, Duchesme, Emergy, Grand, San Juan, Uimtah, Garfield, Juab, Kane, Millard, Piute, Sanpete, Sevier and Wayne Counties, UT. (4) From points in Coshocton, Crawford, Delaware, Fairfield, Fayette, Franklin, Knox, Licking, Logan, Madison, Marion, Morrow, Pickaway, Richland and Union Counties, OH, to points in CA; Alamosa, Achuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley and Washington Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton and Stevens Counties, KS; points in LA; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith, Winston, Adams, Amite, Franklin, Jefferson, Jefferson Davis, Lawrence, Lincoln, Marion, Pike, Walthall and Wilkinson Counties, MS; points in NV; points in OR; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; Beaver, Iron, Washington, Carbon, Daggett, Duchesme, Emery, Grand, San Juan, Uimtah, Garfield, Juab, Kane, Millard, Piute, Sanpete, Sevier and Wayne Counties, UT; Clark, Cowlitz, Klickitat, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum and Yakima Counties, WA. (5) From points in Athens, Belmont, Gallia, Guernsey, Hocking, Jackson, Lawrence, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pike, Ross, Scioto, Vinton and Washington Counties, OH, to points in CA; Garfield, Mesa, Moffat, Rio Blanco, Routte, Adams, Arapahoe, Boulder, Cedar Creek, Chaffee, Denver, Douglas, Eagle, Elbert, El Paso, Fremont, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Park, Pitkin, Summit, Teller, Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; points in ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon,

Montgomery, Neosho, Wilson and Woodson Counties, KS; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith, Winston, Adams, Amite, Franklin, Jefferson, Jefferson Davis, Lawrence, Lincoln, Marion, Pike, Walthall and Wilkinson Counties, MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; points in NV; points in OR; points in UT; points in WA; Park, Teton, Yellowstone National Park, Lincoln, Sublette, Sweetwater and Uinta Counties, WY. (6) From points in Allen, Auglaize, Defiance, Fulton, Hancock, Hardin, Henry, Lucas, Mercer, Ottawa, Paulding, Putnam, Sandusky, Seneca, Van Wert, Williams, Wood and Wyandot Counties, OH, to points in Inyo, Fresno, Kings, Tulare, Glenn, Humboldt, Lake, Mendicino, Tehama, Trinity, Kern, Los Angeles, Orange, San Luis Obispo, Santa Barbara, Ventura, San Bernardino, Imperial, Riverside, San Diego, Alameda, Alpine, Amador, Calaveras, Colusa, Contra Costa, Eldorado, Madera, Marin, Mariposa, Merced, Mono, Monterey, Napa, Placer, San Benito, Sacramento, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Sutter, Tuolumne and Yolo Counties, CA; Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton and Stevens Counties, KS; points in LA; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Covington, Forrest, George, Greene, Hancok, Harrison, Jackson, Jones, Lamar, Pearl River, Perry, Stone, Wayne, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith, Winston, Adams, Amite, Franklin, Jefferson, Jefferson Davis, Lawrence, Lincoln, Marion, Pike, Walthall, and Wilkinson Counties, MS; Clark, Lincoln, Esmeralda, Eureka, Lander and Nye Counties, NV; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; Beaver, Iron, Washington, Garfield, Juab, Kane, Millard, Piute, Sanpete, Sevier and Wayne Counties, UT. (Gateway eliminated: Greene County, AR.)

MC 107012 (Sub-E807), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *Commercial and Institutional Fixtures and Store and Office Equipment, Uncrated,* (1) From points in OK, to points in CT, DE, DC, GA, KY, ME, MD, MA, NH, NJ, NY, NC, PA, RI, SC, VT, VA and WV. (2) From points in Alfalfa, Beckham, Blaine, Caddo, Comanche, Cotton, Custer, Dewey, Ellis, Greer, Harmon, Harper, Jackson, Kiowa, Major, Roger Mills, Tillman, Washita, Woods and Woodward Counties, OK, to points in Autauga, Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Coosa, Cullman, Elmore, Etowah, Jefferson, Lee, Randolph, St. Clair, Shelby, Talladega, Tallapoosa, Barbour, Bullock, Coffee, Covington, Crenshaw, Dale, Geneva, Henry, Houston, Macon, Montgomery, Pike, Russell, Colbert, Fayette, Franklin, Lamar, Lauderdale, Lawrence, Marion, Pickens, Tuscaloos, Walker, Winston, De Kalb, Jackson, Limestone, Madison, Marshall and Morgan Counties, AL; Charlotte, De Soto, Glades, Hardee, Hendry, Highlands, Lee, Manatee, Okeechobee, Sarasota, Alachua, Baker, Bradford, Clay, Duval, Flagler, Levy, Marion, Nassau, Putnam, Saint Johns, Union, Broward, Collier, Dade, Martin, Monroe, Palm Beach, Saint Lucie, Brevard, Citrus, Hernando, Hillsborough, Indian River, Lake, Orange, Osceola, Pasco, Pinellas, Polk, Seminole, Sumter, Volusia, Columbia, Dixie, Franklin, Gadsen, Gilchrist, Hamilton, Jefferson, Lafayette, Leon, Liberty, Madison, Suwannee, Taylor and Wakulla Counties, FL; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White, Williamson, Cook, DuPage, Kane, Kendall, Lake, Will, Champaign, Clark, Coles, Crawford, Cumberland, DeWitt, Douglas, Edgar, Ford, Grundy, Iroquois, Jasper, Kankakee, Lawrence, Livingston, Macon, McLean, Moultrie, Piatt, Richland, Vermilion, Wabash, Boone, Bureau, Carroll, DeKalb, Henry, Jo Daviess, LaSalle, Lee, McHenry, Mercer, Ogle, Putnam, Rock Island, Stephenson, Whiteside and Winnebago Counties, IL; points in IN; points in MI; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, De Soto, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Tunila, Union, Webster and Yalobusha Counties, MS; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; points in OH; points in TN; Columbia, Dane, Dodge, Green, Jefferson, Kenosha, Milwaukee, Ozaukee, Racine, Rock, Walworth, Washington, Waukesha, Door, Florence, Forest, Kewaunee, Langlade, Lincoln, Marinette, Menominee, Oconto and Oneida Counties, WI. (3) From points in Adair, Cherokee, Craig, Delaware, McIntosh, Mayes, Muskogee, Nowata, Okmulgee, Osage, Ottawa, Rogers, Sequoyah, Tulsa, Wagoner and Washington Counties, OK, to points in AL; points in FL; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson Counties, IL; Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo and Warrick Counties, IN; Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Saint Bernard, Saint Charles, Saint Helena, Saint James, Saint John the Baptist, Saint Martin, Saint Mary, Saint Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge and West Feliciana Parishes, LA; Bay, Clinton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Jackson, Lapeer, Lenawee, Livingston, Macomb, Midland, Monroe, Oakland, Saginaw, Saint Clair, Sanilac Shiawassee, Tuscola, Washtenaw, Wayne, Alcona, Alpena, Antrim, Arenac, Benzie, Charlevoix, Cheboygan, Clare, Crawford, Emmet, Gladwin, Grand Traurse, Iosco, Isabella,

Kalkaska, Lake, Leelanau, Manistee, Mason, Mecosta, Missaukee Montmorency, Newaygo, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Presque Isle, Roscommon, Wexford, Chippewa, Luce and Mackinac Counties, MI; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; Adams, Brown, Butler, Champaign, Clark, Clermont, Clinton, Darke, Greene, Hamilton, Highland, Miami, Montgomery, Preble, Shelby, Warren, Ashland, Ashtabula, Carroll, Columbiana, Cuyahoga, Erie, Geauga, Harrison, Holmes, Huron, Jefferson, Lake, Lorain, Mahoning, Medina, Portage, Stark, Summit, Trumbull, Tuscarawas, Wayne, Athens, Belmont, Gallia, Guernsey, Hocking, Jackson, Lawrence, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pike, Ross, Scioto, Vinton, Washington, Allen, Auglaize, Defiance, Fulton, Hancock, Hardin, Henry, Lucas, Mercer, Ottawa, Paulding, Putnam, Sandusky, Seneca, Van Wert, Williams, Wood and Wyandot Counties, OH; points in TN. (4) From points in Beaver, Cimarron and Texas Counties, OK, to points in AL; points in FL; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson Counties, IL; Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo, Warrick, Adams, Allen, Blackford, DeKalb, Delaware, Elkhart, Grant, Huntington, Jay, Kosciusko, Lagrange, Noble, Randolph, Steuben, Wabash, Wells, and Whitley Counties, IN; Bay, Clinton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Jackson, Lapeer, Lenawee, Livingston, Macomb, Midland, Monroe, Oakland, Saginaw, Saint Clair, Sanilac, Shiawassee, Tuscola, Washtenaw, Wayne, Alcona, Alpena, Antrim, Arenac, Benzie, Charlevoix, Cheboygan, Clare, Crawford, Emmet, Gladwin, Grand Traverse, Iosco, Isabella, Kalkaska, Lake, Leelanau, Manistee, Mason, Mecosta, Missaukee, Montmorency, Newaygo, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Presque Isle, Roscommon and Wexford Counties, MI; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Covington, Forrest, George, Greene, Hancock, Harrison, Jackson, Jones, Lamar, Pearl River, Perry, Stone, Wayne, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith, Winston, Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, Desoto, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Tunila, Union, Webster and Yalobusha Counties, MS; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; points in OH; points in TN. (5) From points in Atoka, Bryan, Choctaw, Coal, Haskell, Latimer, LeFlore, McCurtain, Pittsburg and Pushmataha Counties, OK, to points in Autauga, Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Coosa, Cullman, Elmore, Etowah, Jefferson, Lee, Randolph, St. Clair, Shelby, Talladega, Tallapoosa, Colbert, Fayette, Franklin, Lamar, Lauderdale, Lawrence, Marion, Pickens, Tuscaloosa, Walker, Winston, De Kalb, Jackson, Limestone, Madison, Marshall and Morgan Counties, AL; Charlotte, De Soto, Glades, Hardee, Hendry, Highlands, Lee, Manatee, Okeechobee, Sarasota, Alachua, Baker, Bradford, Clay, Duval, Flagler, Levy, Marion, Nassau, Putnam, Saint Johns, Union, Broward, Collier, Dade, Martin, Monroe, Palm Beach, Saint Lucie, Brevard, Citrus, Hernando, Hillsborough, Indian River, Lake, Orange, Osceola, Pasco, Pinellas, Polk, Seminole, Sumter, Volusia, Columbia, Dixie, Franklin, Gadsen, Gilchrist, Hamilton, Jefferson, Lafayette, Leon, Liberty, Madison, Suwannee, Taylor and Wakulla Counties, FL; points in IL; points in IN; Benton, Cedar, Clinton, Davis, Des Moines, Dubuque, Henry, Iowa, Jackson, Jefferson, Johnson, Jones, Keokuk, Lee, Linn, Louisa, Muscatine, Scott, Van Buren, Wapello and Washington Counties, IA; points in MI; Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, Desoto, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishmingo, Tunila, Union, Webster and Yalobusha Counties, MS; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard, Wayne, Adair, Audrain, Clarke, Knox, Lewis, Linn, Macon, Marion, Monroe, Pike, Putnam, Ralls, Randolph, Schuyler, Scotland, Shelby and Sullivan Counties, MO; points in OH; Anderson, Blount, Campbell, Carter, Claiborne, Cocke, Grainger, Greene, Hamblen, Hancock, Hawkins, Jefferson, Johnson, Knox, Scott, Sevier, Sullivan, Unicoi, Union, Washington, Bedford, Bledsoe, Bradley, Coffee, Cumberland, Fentress, Franklin, Grundy, Hamilton, Lincoln, Loudon, McMinn, Marion, Marshall, Meigs, Monroe, Moore, Morgan, Polk, Rhea, Roane, Sequatchie, Van Buren, Warren, White, Cannon, Cheatham, Clay, Davidson, DeKalb, Dickson, Jackson, Macon, Montgomery, Overton, Pickett, Putnam, Robertson, Rutherford, Smith, Sumner, Trousdale, Williamson, Wilson, Benton, Carroll, Decatur, Giles, Hardin, Henderson, Henry, Hickman, Houston, Humphreys, Lawrence, Lewis, Maury, Perry, Stewart, Wayne and Weakley Counties, TN; Clallam, Grays Harbor, Jefferson, Kitsap, Mason, San Juan, Chelan, Douglas, Grant, Island, King, Kittitas, Skagit, Snohomish and Whatcom Counties, WA; points in WI. (6) From points in Canadian, Carter, Cleveland, Creek, Garfield, Grady, Grant, Hughes, Jefferson, Johnston, Kay, Kingfisher, Lincoln, Logan, Love, McClain, Marshall, Murray, Noble Okfuskee, Oklahoma, Osage, Pawnee, Payne, Pontotoc, Pottawatomie, Seminole and Stephens Counties, OK, to points in AL; points in FL; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson Counties, IL; points in IN; Bay, Clinton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Jackson, Lapeer, Lenawee, Livingsotn, Macomb, Midland, Monroe, Oakland, Saginaw, Saint Clair, Sanilac, Shiawassee, Tuscola, Washtenaw, Wayne, Alcona, Alpena, Antrim, Arenac, Benzie, Charlevoix, Cheboygan, Clare, Crewford, Emmet, Gladwin, Grand Traverse, Iosco, Isabella, Kalkaska, Lake, Leelanau, Manistee, Mason, Mecosta, Missaukee, Montmorency, Newaygo, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Presque Isle, Roscommon, Wexford, Alger, Delta, Dickinson, Marquette, Menominee, Schoolcraft, Chippewa, Luce, Mackinac, Allegan, Barry, Berrien, Branch, Clahoun, Cass, Eaton, Ionia, Kalamazoo, Kent, Montcalm, Muskegon, Ottawa, Saint Joseph and Van Buren Counties, MI; Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, Desoto, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah,

Tishomingo, Tunila, Union, Webster and Yalobusha Counties, MS; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; points in OH; points in TN; Columbia, Dane, Dodge, Green, Jefferson, Kenosha, Milwaukee, Ozaukee, Racine, Rock, Walworth, Washington, Waukesha, Door, Florence, Forest, Kewaunee, Langlade, Lincoln, Marinette, Menominee, Oconto and Oneida Counties, WI. (Gateway eliminated: Greene County, AR.)

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(2) From points in Alfalfa, Beckham, Blaine, Caddo, Comanche, Cotton, Custer, Dewey, Ellis, Greer, Harmon, Harper, Jackson, Kiowa, Major, Roger Mills, Tillman, Washita, Woods and Woodward Counties, OK, to points in Autauga, Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Coosa, Cullman, Elmore, Etowah, Jefferson, Lee, Randolph, St. Clair, Shelby, Talladega Tallapoosa, Barbour, Bullock, Coffee, Covington, Crenshaw, Dale, Geneva, Henry, Houston, Macon, Montgomery, Pike, Russell, Colbert, Fayette, Franklin, Lamar, Lauderdale, Lawrence, Marion, Pickens, Tuscaloosa, Walker, Winston, De Kalb, Jackson, Limestone, Madison, Marshall and Morgan Counties, AL; Charlotte, De Soto, Glades, Hardee, Hendry, Highlands, Lee, Manatee, Okeechobee, Sarasota, Alachua, Baker, Bradford, Clay, Duval, Flagler, Levy, Marion, Nassau, Putnam, Saint Johns, Union, Broward, Collier, Dade, Martin, Monroe, Palm Beach, Saint Lucie, Brevard, Citrus, Hernando, Hillsborough, Indian River, Lake, Orange, Osceola, Pasco, Pinellas, Polk, Seminole, Sumter, Volusia, Columbia, Dixie, Franklin, Gadsen, Gilchrist, Hamilton, Jefferson, Lafayette, Leon, Liberty, Madison, Suwannee, Taylor and Wakulla Counties, FL; Alexander, Clay Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White, Williamson, Cook, DuPage, Kane, Kendall, Lake, Will, Champaign, Clark, Coles, Crawford, Cumberland, DeWitt, Douglas, Edgar, Ford, Grundy, Iriquois, Jasper, Kankakee, Lawrence, Livingston, Macon, McLean, Moultrie, Piatt, Richland, Vermilion, Wabash, Boone, Bureau, Carroll, DeKalb, Henry, JoDaviess, LaSalle, Lee, McHenry, Mercer, Ogle, Putnam, Rock Island, Stephenson, Whiteside and Winnebago Counties, IL; points in IN; points in MI; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, Desoto, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Tunila, Union, Webster and Yalobusha Counties, MS; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; points in OH; points in TN; Columbia, Dane, Dodge, Green, Jefferson, Kenosha, Milwaukee, Ozaukee, Racine, Rock, Walworth, Washington, Waukesha, Door, Florence, Forest, Kewaunee, Langlade, Lincoln, Marinette, Menominee, Oconto and Oneida Counties, WI. (3) From points in Adair, Cherokee, Craig, Delaware, McIntosh, Mayes, Muskogee, Nowata, Okmulgee, Osage, Ottawa, Rogers, Sequoyah, Tulsa, Wagoner and Washington Counties, OK, to points in AL; points in FL; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson Counties, IL; Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullian, Vanderburgh, Vermillion, Vigo and Warrick Counties, IN; Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Saint Bernard, Saint Charles, Saint Helena, Saint James, Saint John the Baptist, Saint Martin, Saint Mary, Saint Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge and West Feliciana Parishes, LA; Bay, Clinton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Jackson, Lapeer, Lenawee, Livingston, Macomb, Midland, Monroe, Oakland, Saginaw, Saint Clair, Sanilac, Shiawassee, Tuscola, Washtenaw, Wayne, Alcona, Alpena, Antrim, Arenac, Benzie, Charlevoix, Cheboygan, Clare, Crawford, Emmet, Gladwin, Grand Traurse, Iosco, Isabella, Kalkaska, Lake, Leelanau, Manistee, Mason, Mecosta, Missaukee, Montmorency, Newaygo, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Presque Isle, Roscommon, Wexford, Chippewa, Luce and Mackinac Counties, MI; Bollinger, Butler, Cape Girardeau, Carter, Duklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; Adams, Brown, Butler, Champaign, Clark, Clermont, Clinton, Darke, Greene, Hamilton, Highland, Miami, Montgomery, Preble, Shelby, Warren, Ashland, Ashtabula, Carroll, Columbiana, Cuyahoga, Erie, Geauga, Harrison, Holmes, Huron, Jefferson, Lake, Lorain, Mahoning, Medina, Portage, Stark, Summit, Trumbull, Tuscarawas, Wayne, Athens, Belmont, Gallia, Guernsey, Hocking, Jackson, Lawrence, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pike, Ross, Scioto, Vinton, Washington, Allen, Auglaize, Defiance, Fulton, Hancock, Hardin, Henry, Lucas, Mercer, Ottawa, Paulding, Putnam, Sandusky, Seneca, Van Wert, Williams, Wood and Wyandot Counties, OH; points in TN.

(4) From points in Beaver, Cimarron and Texas Counties, OK, to points in AL; points in FL; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson Counties, IL; Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo, Warrick, Adams, Allen, Blackford, DeKalb, Delaware, Elkhart, Grant, Huntington, Jay, Kosciusko, Lagrange, Noble, Randolph, Steuben, Wabash, Wells and Whitley Counties, IN; Bay, Clinton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Jackson, Lapeer, Lenawee, Livingston, Macomb, Midland, Monroe, Oakland, Saginaw, Saint Clair, Sanilac, Shiawassee, Tuscola, Washtenaw, Wayne, Alcona, Alpena, Antrim, Arenac, Benzie, Charlevoix, Cheboygan, Clare, Crawford, Emmet, Gladwin, Grand Traurse, Iosco, Isabella, Kalkaska, Lake, Leelanau, Manistee, Mason, Mecosta, Missaukee, Montmorency, Newaygo, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Presque Isle, Roscommon and Wexford Counties, MI; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys,

Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Covington, Forrest, George, Greene, Hancok, Harrison, Jackson, Jones, Lamar, Pearl River, Perry, Stone, Wayne, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith, Winston, Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, Desoto, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Tunila, Union, Webster and Yalobusha Counties, MS; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; points in OH; points in TN. (5) From points in Atoka, Bryan, Choctaw, Coal, Haskell, Latimer, LeFlore, McCurtain, Pittsburg and Pushmataha Counties, OK, to points in Autauga, Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Coosa, Cullman, Elmore, Etowah, Jefferson, Lee, Randolph, St. Clair, Shelby, Talladega, Tallapoosa, Colbert, Fayette, Franklin, Lamar, Lauderdale, Lawrence, Marion, Pickens, Tuscaloosa, Walker, Winston, De Kalb, Jackson, Limestone, Madison, Marshall and Morgan Counties, AL; Charlotte, De Soto, Glades, Hardee, Hendry, Highlands, Lee, Manatee, Okeechobee, Sarasota, Alachua, Baker, Bradford, Clay, Duval, Flagler, Levy, Marion, Nassau, Putnam, Saint Johns, Union, Broward, Collier, Dade, Martin, Monroe, Palm Beach, Saint Lucie, Brevard, Citrus, Hernando, Hillsborough, Indian River, Lake, Orange, Osceola, Pasco, Pinellas, Polk, Seminole, Sumter, Volusia, Columbia, Dixie, Franklin, Gadsen, Gilchrist, Hamilton, Jefferson, Lafayette, Leon, Liberty, Madison, Suwannee, Taylor and Wakulla Counties, FL; points in IL; points in IN; Benton, Cedar, Clinton, Davis, Des Moines, Dubuque, Henry, Iowa, Jackson, Jefferson, Johnson, Jones, Keokuk, Lee, Linn, Louisa, Muscatine, Scott, Van Buren, Wapello and Washington Counties, IA; points in MI; Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, Desoto, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Tunila, Union, Webster and Yalobusha Counties, MS; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard, Wayne, Adair, Audrain, Clarke, Knox, Lewis, Linn, Macon, Marion, Monroe, Pike, Putnam, Ralls, Randolph, Schuyler, Scotland, Shelby and Sullivan Counties, MO; points in OH; Anderson, Blount, Campbell, Carter, Claiborne, Cocke, Grainger, Greene, Hamblen, Hancock, Hawkins, Jefferson, Johnson, Knox, Scott, Sevier, Sullivan, Unicoi, Union, Washington, Bedford, Bledsoe, Bradley, Coffee, Cumberland, Fentress, Franklin, Grundy, Hamilton, Lincoln, Loudon, McMinn, Marion, Marshall, Meigs, Monroe, Moore, Morgan, Polk, Rhea, Roane, Sequatchie, Van Buren, Warren, White, Cannon, Cheatham, Clay, Davidson, DeKalb, Dickson, Jackson, Macon, Montgomery, Overton, Pickett, Putnam, Robertson, Rutherford, Smith, Sumner, Trousdale, Williamson, Wilson, Benton, Carroll, Decatur, Giles, Hardin, Henderson, Henry, Hickman, Houston, Humphreys, Lawrence, Lewis, Maury, Perry, Stewart, Wayne and Weakley Counties, TN; Clallam, Grays Harbor, Jefferson, Kitsap, Mason, San Juan, Chelan, Douglas, Grant, Island, King, Kittitas, Skagit, Snohomish and Whatcom Counties, WA; points in WI. (6) From points in Canadian, Carter, Cleveland, Creek, Garfield, Grady, Grant, Hughes, Jefferson, Johnston, Kay, Kingfisher, Lincoln, Logan, Love, McClain, Marshall, Murray, Noble, Okfuskee, Oklahoma, Osage, Pawnee, Payne, Pontotoc, Pottawatomie, Seminole and Stephens Counties, OK, to points in AL; points in FL; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson Counties, IL; points in IN; Bay, Clinton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Jackson, Lapeer, Lenawee, Livingston, Macomb, Midland, Monroe, Oakland, Saginaw, Saint Clair, Sanilac, Shiawassee, Tuscola, Washtenaw, Wayne, Alcona, Alpena, Antrim, Arenac, Benzie, Charlevoix, Cheboygan, Clare, Crawford, Emmet, Gladwin, Grand Traurse, Iosco, Isabella, Kalkaska, Lake, Leelanau, Manistee, Mason, Mecosta, Missaukee, Montmorency, Newaygo, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Presque Isle, Roscommon, Wexford, Alger, Delta, Dickinson, Marquette, Menominee, Schoolcraft, Chippewa, Luce, Mackinac, Allegan, Barry, Berrien, Branch, Calhoun, Cass, Eaton, Ionia, Kalamazoo, Kent, Montcalm, Muskegon, Ottawa, Saint Joseph and Van Buren Counties, MI; Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, Desoto, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Tunila, Union, Webster and Yalobusha Counties, MS; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; points in OH; points in TN; Columbia, Dane, Dodge, Green, Jefferson, Kenosha, Milwaukee, Ozaukee, Racine, Rock, Walworth, Washington, Waukesha, Door, Florence, Forest, Kewaunee, Langlade, Lincoln, Marinette, Menominee, Oconto and Oneida Counties, WI. (Gateway eliminated: Green County, AR.)

MC 107012 (Sub-E809), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *Commercial and Institutional Fixtures and Store and Office Equipment, Uncrated,* (1) From points in NC, to points in AZ, AR, CA, CO, ID, KS, MT, NV, NM, OK, OR, TX, UT, WA, and WY. (2) From points in Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania and Yancey Counties, NC, to points in Adair, Adams, Audubon, Cass, Fremont, Guthrie, Harrison, Mills, Montgomery, Page, Pottawattamie, Ringgold, Shelby, Taylor, Union, Buena Vista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickinson, Emmet, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux and Woodbury Counties, IA; Bienville, Bossier, Caddo, Claiborne, De Soto, Natchitoches, Reo River, Sabine and Webster Parishers, LA; Brown, Cottonwood, Jackson, Lincoln, Lyon, Martin, Murray, Nobles, Pipestone, Redwood, Rock and Watonwan Counties, MN; Boone, Callaway, Cole, Crawford, Dent, Franklin, Gasconade, Jefferson, Lincoln, Maries, Miller, Moniteau, Montgomery, Osage, Phelps, Pulaski, Saint Charles, Saint Louis, St. Louis City, Warren, Washington, Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon, Webster, Andrew, Atchison, Bates, Benton, Buchana, Caldwell, Carroll, Cass, Chariton, Clay, Clinton, Cooper, Daviess, De Kalb, Gentry, Grundy, Harrison, Henry, Holt, Howard, Jackson, Johnson, Lafayette, Livingston, Mercer, Morgan, Nodaway, Pettis,

Platte, Ray, Saint Claire, Saline and Worth Counties, MO; Adams, Billings, Bowman, Burleigh, Dunn, Emmons, Golden Valley, Grant, Hettinger, Mercer, Morton, Oliver, Sioux, Slope, Stark, Benson, Cavalier, Pembina, Pierce, Ramsey, Rolette, Sheridan, Towner, Walsh, Wells, Bottineau, Burke, McHenry, McLean, Mountreal, Renville, Ward, Divide, McKenzie and Williams Counties, ND; points in SD. (3) From points in Beaufort, Bertie, Camden, Chowan, Currituck, Dare, Edgecombe, Gates, Halifax, Hertford, Hyde, Martin, Nash, Northampton, Pamlico, Pasquotank, Per Quimans, Pitt, Tyrrell, Washington and Wilson Counties, NC to points in Adair, Adams, Audubon, Cass, Fremont, Guthrie, Harrison, Mills, Montgomery, Page, Pottawattamie, Ringgold, Shelby, Taylor, Union, Buena Vista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickinson, Emmet, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux and Woodbury Counties, IA; Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, De Soto, Natchitoches, Red River, Sabine, and Webster Parishes, LA; Boone, Callaway, Cole, Crawford, Dent, Franklin, Gasconade, Jefferson, Lincoln, Maries, Miller, Moniteau, Montgomery, Osage, Phelps, Pulaski, Saint Charles, Saint Louis, St. Louis City, Warren, Washington, Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon, Webster, Andrew, Atchison, Bates, Benton, Buchanan, Caldwell, Carroll, Cass, Chariton, Clay, Clinton, Cooper, Daviess, De Kalb, Gentry, Grundy, Harrison, Henry, Holt, Howard, Jackson, Johnson, Lafayette, Livingston, Mercer, Morgan, Nodaway, Pettis, Platte, Ray, Saint Claire, Saline, and Worth Counties, MO; Bennett, Butte, Custer, Fall River, Haakon, Jackson, Lawrence, Meade, Pennington, Shannon, Washabaugh, Ziebach, Campbell, Corson, Dewey, Edmunda, Faulk, Harding, McPherson, Perkins, Potter, Walworth, Brule, Buffalo, Hand, Hughes, Hyde, Jones, Lyman, Mellette, Stanley, Sully, Todd, Tripp, Aurora, Bon Homme, Charles Mix, Clay, Davison, Douglas, Gregory, Hanson, Hutchinson, Jerauld, Lake, Lincoln, McCook, Miner, Minnehaha, Moody, Sanborn, Turner, Union and Yankton Counties, SD; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison Obion, Shelby and Tipton Counties, TN. (4) From points in Alexander, Alleghany, Ashe, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Surry, Watauga, Wilkes, and Yadkin, Counties, NC, to points in Adair, Adams, Audubon, Cass, Fremont, Guthrie, Harrison, Mills, Montgomery, Page Pottawattamie, Ringgold, Shelby, Taylor, Union, Buena Vista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickinson, Emmet, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux and Woodbury Counties, IA; Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, De Soto, Natchitoches, Red River, Sabine and Webster Parishes, LA; Brown, Cottonwood, Jackson, Lincoln, Lyon, Martin, Murray, Nobles, Pipestone, Redwood, Rock, and Watonwan Counties, MN; Boone, Callaway, Cole, Crawford, Dent, Franklin, Gasconade, Jefferson, Lincoln, Maries, Miller, Moniteau, Montgomery, Osage, Phelps, Pulaski, Saint Charles, Saint Louis, St. Louis City, Warren, Washington, Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon, Webster, Andrew Atchison, Bates, Benton, Buchanan, Caldwell, Carroll, Cass, Chariton, Clay, Clinton, Cooper, Daviess, De Kalb, Gentry, Grundy, Harrison, Henry, Holt, Howard, Jackson, Johnson, Lafayette, Livingston, Mercer, Morgan, Nodaway, Pettis, Platte, Ray, Saint Claire, Saline and Worth Counties, MO; Adams, Billings, Bowman, Burleigh, Dunn, Emmons, Golden Valley, Grant, Hettinger, Mercer, Morton, Oliver, Sioux, Slope, Stark, Bottineau, Burke, McHenry, McLean, Mountrail, Renville, Ward, Divide, McKenzie and Williams Counties, ND; points in SD.

(5) From points in Bladen, Brunswick, Carteret, Columbus, Craven, Cumberland, Duplin, Greene, Harnett, Hoke, Johnston, Jones, Lenoir, New Hanover, Onslow, Pender, Robeson, Sampson, Scotland and Wayne Counties, NC, to points in Appanoose, Boone, Clarke, Dallas, Decatur, Green, Grundy, Hamilton, Hardin, Jasper, Lucas, Madison, Mahaska, Marion, Marshall, Monroe, Polk, Poweshiek, Story, Tama, Warren, Wayne, Webster, Adair, Adams, Audubon, Cass, Fremont, Guthrie, Harrison, Mills, Montgomery, Page, Pottawattamie, Ringgold, Shelby, Taylor, Union, Buena Vista, Calhoun, Carroll, Cherokee, Caly, Crawford, Dickinson, Emmet, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux and Woodbury Counties, IA; Bienville, Bossier, Caddo, Claiborne, De Soto, Natchitoches, Reo River, Sabine and Webster Parishes, LA; Brown, Cottonwood, Jackson, Lincoln, Lyon, Martin, Murray, Nobles, Pipestone, Redwood, Rock and Watonwan Counties, MN; Adair, Audrain, Clarke, Knox, Lewis, Linn, Macon, Marion, Monroe, Pike, Putnam, Ralls, Randolph, Schuyler, Scotland, Shelby, Sullivan, Boone, Callaway, Cole, Crawford, Dent, Franklin, Gasconade, Jefferson, Lincoln, Maries, Miller, Moniteau, Montgomery, Osage, Phelps, Pulaski, Saint Charles, Saint Louis, St. Louis City, Warren, Washington, Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon, Webster, Andrew, Atchison, Bates, Benton, Buchanan, Caldwell, Carroll, Cass, Chariton, Clay, Clinton, Cooper, Daviess, De Kalb, Gentry, Grundy, Harrison, Henry, Holt, Howard, Jackson, Johnson, Lafayette, Livingston, Mercer, Morgan, Nodaway, Pettis, Platte, Ray, Saint Claire, Saline and Worth Counties, MO; Adams, Billings, Bowman, Burleigh, Dunn, Emmons, Golden Valley, Grant, Hettinger, Mercer, Morton, Oliver, Sioux, Slope, Stark, Benson, Cavalier, Pembina, Pierce, Ramsey, Rolette, Sheridan, Towner, Walsh, Wells, Bottineau, Burke, McHenry, McLean, Mountrail, Renville, Ward, Divide, McKenzie, and Williams Counties, ND; points in SD. (6) From points in Allamance, Anson, Cabarrus, Caswell, Chatham, Davidson, Davie, Durham, Forsyth, Franklin, Granville, Guilford, Lee, Montgomery, Moore, Orange, Person, Randolph, Richmond, Rockingham, Rowan, Stanly, Stokes, Union, Vance, Wake and Warren Counties, NC, to points in Adair, Adams, Audubon, Cass, Fremont, Guthrie, Harrison, Mills, Montgomery, Page, Pottawattamie, Ringgold, Shelby, Taylor, Union, Buena Vista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickinson, Emmet, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Osceola, Palo Alto, Pymouth, Pocahontas, Sac, Sioux, and Woodbury Counties, IA; Bienville, Bossier, Caddo, Claiborne, De Soto, Natchitoches, Reo River, Sabine and Webster Parishes, LA; Boone, Callaway, Cole, Crawford, Dent, Franklin, Gasconade, Jefferson, Lincoln, Maries, Miller, Moniteau, Montgomery, Osage, Phelps, Pulaski, Saint Charles, Saint Louis, St. Louis City, Warren,

Washington, Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon, Webster, Andrew, Atchison, Bates, Benton, Buchanan, Caldwell, Carroll, Cass, Chariton, Clay, Clinton, Cooper, Daviess, De Kalb, Gentry, Grundy, Harrison, Henry, Holt, Howard, Jackson, Johnson, Lafayette, Livingston, Mercer, Morgan, Nodaway, Pettis, Platte, Ray, Saint Claire, Saline and Worth Counties, MO; Adams, Billings, Bowman, Burleigh, Dunn, Emmons, Golden Valley, Grant, Hettinger, Mercer, Morton, Oliver, Sioux, Slope, Stark, Divide, McKenzie and Williams Counties, ND; Bennett, Butte, Custer, Fall River, Haakon, Jackson, Lawrence, Meade, Pennington, Shannon, Washabaugh, Ziebach, Campbell, Corson, Dewey, Edmunda, Faulk, Harding, McPherson, Perkins, Potter, Walworth, Brule, Buffalo, Hand, Hughes, Hyde, Jones, Lyman, Mellette, Stanley, Sully, Todd, Tripp, Aurora, Bon Homme, Charles Mix, Clay, Davison, Douglas, Gregory, Hanson, Hutchinson, Jerauld, Lake, Lincoln, McCook, Miner, Minnehaha, Moody, Sanborn, Turner, Union and Yankton Counties, SD. (Gateway eliminated: Greene County, AR.)

MC 107012 (Sub-E810), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *Commercial and Institutional Fixtures and Store and Office Equipment, Uncrated,* (1) From points in MT, to points in AL, FL, GA, LA, MS, NC, SC and TN. (2) From points in Beaverhead, Broadwater, Deerlodge, Gallatin, Granite, Jefferson, Madison, Park, Ravalli, Silver Bow, Stillwater and Sweet Grass Counties, MT, to points in Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson Counties, IL; Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo and Warrick Counties, IN; points in KY; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX; Arlington, Caroline, Culpeper, Essex, Fairfax, Fauquier, King George, Orange, Prince William, Spotsylvania, Stafford and Westmoreland Counties and Independent Cities of: Alexandria, Fairfax, Falls Church and Fredericksburg; Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Lee, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise and Wythe Counties and Independent Cities of: Bedford, Bristol, Buena Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, So. Boston and Staunton; Accomack, Gloucester, Greensville, Isle of Wight, Lancaster, Mathews, Middlesex, Nansemond, Northampton, Northumberland, Richmond, Southampton, Surry, Sussex and York Counties and Independent Cities of: Chesapeake, Emporia, Franklin, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach and Williamsburg; Albemarle, Amelia, Brunswick, Buckingham, Charles City, Chesterfield, Cumberland, Dinwiddie, Fluvanna, Goochland, Hanover, Henrico, James City, King and Queen, King William, Louisa, Lunenburg, Mecklenburg, New Kent, Nottoway, Powhatan, Prince Edward and Prince George Counties and Independent Cities of: Charlottesville, Colonial Heights, Hopewell, Petersburg, Richmond and Waynesboro, VA; Greenbrier, McDowell, Mercer, Monroe, Pocahontas, Raleigh, Summers, Wyoming, Braxton, Clay, Fayette, Kanawha, Nicholas, Webster, Boone, Cabell, Lincoln, Logan, Mingo, Putnam and Wayne Counties, WV. (3) From points in Daniels, Dawson, Garfield, McCone, Phillips, Richland, Roosevelt, Sheridan and Valley Counties, MT, to points in Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson Counties, IL; Allen, Barren, Breckinridge, Bullitt, Butler, Christian, Edmonson, Grayson, Hardin, Hart, Henry, Jefferson, LaRue, Logan, Meade, Muhlenberg, Nelson, Ohio, Oldham, Sheleby, Simpson, Spencer, Todd, Trimble, Warren, Bell, Breathitt, Clay, Estill, Floyd, Harlan, Jackson, Knott, Knox, Laurel, Lee, Leslie, Letcher, McCreary, Owsley, Perry, Pike, Whitley, Ballard, Caldwell, Calloway, Carlisle, Crittenden, Daviess, Fulton, Graves, Hancock, Henderson, Hickman, Hopkins, Livingston, Lyon, Marshall, McCracken, McLean, Trigg, Union and Webster Counties, KY; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; Austin, Bastrop, Bell, Brazoria, Brazos, Burleson, Caldwell, Calhoun, Chambers, Colorado, Comal, DeWitt, Falls, Fayette, Fort Bend, Galveston, Gonzales, Grimes, Guadalupe, Hardin, Harris, Hays, Houston, Jackson, Jasper, Jefferson, Lavaca, Lee, Leon, Liberty, Limeston, Madison, Matagorda, Milam, Montgomery, Newton, Orange, Polk, Robertson, San Jacinto, Travis, Trinity, Tyler, Victoria, Walker, Waller, Washington, Wharton, Williamson, Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX; Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Lee, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanoke,

Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise and Wythe Counties and Independent Cities of: Bedford, Bristol, Buena Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, So. Boston and Staunton, VA. (4) From points in Blaine, Cascade, Chouteau, Fergus, Golden Valley, Hill, Judith Basin, Lewis and Clark, Liberty, Meagher, Petroleum, Pondera, Teton, Toole and Wheatland Counties, MT, to points in Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson Counties, IL; Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo and Warrick Counties, IN; Allen, Barren, Breckinridge, Bullitt, Butler, Christian, Edmonson, Grayson, Hardin, Hart, Henry, Jefferson, LaRue, Logan, Meade, Muhlenberg, Nelson, Ohio, Oldham, Shelby, Simpson, Spencer, Todd, Trimble, Warren, Adair, Anderson, Boyle, Casey, Clinton, Cumberland, Fayette, Gerrard, Green, Jessamine, Lincoln, Madison, Marion, Mercer, Metcalfe, Monroe, Pulaski, Rockcastle, Russell, Taylor, Washington, Wayne, Woodford, Bell, Breathitt, Clay, Estill, Floyd, Harlan, Jackson, Knott, Knox, Laurel, Lee, Leslie, Letcher, McCreary, Owsley, Perry, Pike Whitley, Ballard, Caldwell, Calloway, Carlisle, Crittenden, Daviess, Fulton, Graves, Hancock, Henderson, Hickman, Hopkins, Livingston, Lyon, Marshall, McCracken, McLean, Trigg, Union and Webster Counties, KY; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX; Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Lee, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise and Wythe Counties and Independent Cities of: Bedford, Bristol, Buena Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, So. Boston and Staunton; Accomack, Gloucester, Greensville, Isle of Wight, Lancaster, Mathews, Middlesex, Nansemond, Northampton, Northumberland, Richmond, Southampton, Surry, Sussex and York Counties and Independent Cities of: Chesapeake, Emporia, Franklin, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach and Williamsburg; Albemarle, Amelia, Brunswick, Buckingham, Charles City, Chesterfield, Cumberland, Dinwiddie, Fluvanna, Goochland, Hanover, Henrico, James City, King and Queen, King William, Louisa, Lunenburg, Mecklenburg, New Kent, Nottoway, Powhatan, Prince Edward and Prince George Counties and Independent Cities of: Charlottesville, Colonial Heights, Hopewell, Petersburg, Richmond and Waynesboro, VA; Greenbrier, McDowell, Mercer, Monroe, Pocahontas, Raleigh, Summers, Wyoming, Boone, Cabell, Lincoln, Logan, Mingo, Putnam and Wayne Counties, WV.

(5) From points in Flathead, Glacier, Lake, Lincoln, Mineral, Missoula, Powell and Sanders Counties, MT, to points in Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson Counties, IL; Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo and Warrick Counties, IN; point in KY; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; Austin, Bastrop, Bell, Brazoria, Brazos, Burleson, Caldwell, Calhoun, Chambers, Colorado, Comal, DeWitt, Falls, Fayette, Fort Bend, Galveston, Gonzales, Grimes, Guadalupe, Hardin, Harris, Hays, Houston, Jackson, Jasper, Jefferson, Lavaca, Lee, Leon, Liberty, Limeston, Madison, Matagorda, Milam, Montgomery, Newton, Orange, Polk, Robertson, San Jacinto, Travis, Trinity, Tyler, Victoria, Walker, Waller, Washington, Wharton, Williamson, Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX; Arlington, Caroline, Culpeper, Essex, Fairfax, Fauquier, King George, Orange, Prince William, Spotsylvania, Stafford and Westmoreland Counties and Independent Cities of: Alexandria, Fairfax, Falls Church and Fredericksburg; Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Lee, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise and Wythe Counties and Independent Cities of: Bedford, Bristol, Buena Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, So. Boston and Staunton; Accomack, Gloucester, Greensville, Isle of Wight, Lancaster, Mathews, Middlesex, Nansemond, Northampton, Northumberland, Richmond, Southampton, Surry, Sussex and York Counties and Independent Cities of: Chesapeake, Emporia, Franklin, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach and Williamsburg; Albemarle, Amelia, Brunswick, Buckingham, Charles City, Chesterfield, Cumberland, Dinwiddie, Fluvanna, Goochland, Hanover, Henrico, James City, King and Queen, King William, Louisa, Lunenburg, Mecklenburg, New Kent, Nottoway,

Powhatan, Prince Edward and Prince George Counties and Independent Cities of: Charlottesville, Colonial Heights, Hopewell, Petersburg, Richmond and Waynesboro, VA; Greenbrier, McDowell, Mercer, Monroe, Pocahontas, Raleigh, Summers, Wyoming, Braxton, Clay, Fayette, Kanawha, Nicholas, Webster, Boone, Cabell, Lincoln, Logan, Mingo, Putnam and Wayne Counties, WV. (6) From points in Bighorn, Carbon, Carter, Custer, Fallon, Musselshell, Powder River, Prairie, Rosebud, Treasure, Wibaux and Yellowstone Counties, MT, to points in Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson Counties, IL; Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo and Warrick Counties, IN; Allen, Barren, Breckinridge, Bullitt, Butler, Christian, Edmonson, Grayson, Hardin, Hart, Henry, Jefferson, LaRue, Logan, Meade, Muhlenberg, Nelson, Ohio, Oldham, Shelby, Simpson, Spencer, Todd, Trimble, Warren, Adair, Anderson, Boyle, Casey, Clinton, Cumberland, Fayette, Gerrard, Green, Jessamine, Lincoln, Madison, Marion, Mercer, Metcalfe, Monore, Pulaski, Rockcastle, Russell, Taylor, Washington, Wayne, Woodford, Bell, Breathitt, Clay, Estill, Floyd, Harlan, Jackson, Knott, Knox, Laurel, Lee, Leslie, Letcher, McCreary, Owsley, Perry, Pike, Whitley, Ballard, Caldwell, Calloway, Carlisle, Crittenden, Daviess, Fulton, Graves, Hancock, Henderson, Hickman, Hopkins, Livingston, Lyon, Marshall, McCracken, McLean, Trigg, Union and Webster Counties, KY; Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX; Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Lee, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise and Wythe Counties and Independent Cities of: Bedford, Bristol, Buena Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, So. Boston and Staunton; Accomack, Gloucester, Greensville, Isle of Wight, Lancaster, Mathews, Middlesex, Nansemond, Northampton, Northumberland, Richmond, Southampton, Surry, Sussex and York Counties and Independent Cities of: Chesapeake, Emporia, Franklin, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach and Williamsburg; Albemarle, Amelia, Brunswick, Buckingham, Charles City, Chesterfield, Cumberland, Dinwiddie, Fluvanna, Goochland, Hanover, Henrico, James City, King and Queen, King William, Louisa, Lunenburg, Mecklenburg, New Kent, Nottoway, Powhatan, Prince Edward and Prince George Counties and Independent Cities of: Charlottesville, Colonial Heights, Hopewell, Petersburg, Richmond and Waynesboro, VA; Greenbrier, McDowell, Mercer, Monroe, Pocahontas, Raleigh, Summers and Wyoming Counties, WV. (Gateway eliminated: Greene County, AR.)

MC 107012 (Sub-E811), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same address as above). *Commercial and Institutional Fixtures and Store and Office Equipment, Crated,* (1) From points in MT, to points in AL, FL, GA, LA, MS, NC, SC and TN. (2) From points in Beaverhead, Broadwater, Deerlodge, Gallatin, Granite, Jefferson, Madison, Park, Ravalli, Silver Bow, Stillwater and Sweet Grass Counties, MT, to points in Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson Counties, IL; Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo and Warrick Counties, IN; points in KY; Bollinger, Butler, Cape Girardeau, Carter, Dunkin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX; Arlington, Caroline, Culpeper, Essex, Fairfax, Fauquier, King, George, Orange, Prince William, Spotsylvania, Stafford and Westmoreland Counties and Independent Cities of: Alexandria, Fairfax, Falls Church and Fredericksburg; Allegheny, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Lee, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise and Wythe Counties and Independent Cities of: Bedford, Bristol, Buena Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, So. Boston and Staunton; Accomack, Gloucester, Greensville, Isle of Wight, Lancaster, Mathews, Middlesex, Nansemond, Northampton, Northumberland, Richmond, Southampton, Surry, Sussex and York Counties and Independent Cities of: Chesapeake, Emporia, Franklin, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach and Williamsburg; Albemarle, Amelia, Brunswick, Buckingham, Charles City, Chesterfield, Cumberland, Dinwiddie, Fluvanna, Goochland, Hanover, Henrico, James City, King and Queen, King William, Louisa, Lunenburg, Mecklenburg, New Kent, Nottoway, Powhatan, Prince Edward and Prince George Counties and Independent Cities of: Charlottesville, Colonial Heights, Hopewell, Petersburg, Richmond and Waynesboro, VA; Greenbrier, McDowell, Mercer, Monroe, Pocahontas, Raleigh, Summers, Wyoming, Braxton,

Clay, Fayette, Kanawha, Nicholas, Webster, Boone, Cabell, Lincoln, Logan, Mingo, Putnam and Wayne Counties, WV. (3) From points in Daniels, Dawson, Garfield, McCone, Phillips, Richland, Roosevelt, Sheridan and Valley Counties, MT, to points in Clark, Hemptead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson Counties, IL; Allen, Barren, Breckinridge, Bullitt, Butler, Christian, Edmonson, Grayson, Hardin, Hart, Henry, Jefferson, LaRue, Logan, Meade, Muhlenberg, Nelson, Ohio, Oldham, Sheleby, Simpson, Spencer, Todd, Trimble, Warren, Bell, Breathitt, Clay, Estill, Floyd, Harlan, Jackson, Knott, Knox, Laurel, Lee, Leslie, Letcher, McCreary, Owsley, Perry, Pike, Whitley, Ballard, Caldwell, Calloway, Carlisle, Crittenden, Daviess, Fulton, Graves, Hancock, Henderson, Hickman, Hopkins, Livingston, Lyon, Marshall, McCracken, McLean, Trigg, Union and Webster Counties, KY; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; Austin, Bastrop, Bell, Brazoria, Brazos, Burleson, Caldwell, Calhoun, Chambers, Colorado, Comal, DeWitt, Falls, Fayette, Fort Bend, Galveston, Gonzales, Grimes, Guadalupe, Hardin, Harris, Hays, Houston, Jackson, Jasper, Jefferson, Lavaca, Lee, Leon, Liberty, Limestone, Madison, Matagorda, Milam, Montgomery, Newton, Orange, Polk, Robertson, San Jacinto, Travis, Trinity, Tyler, Victoria, Walker, Waller, Washington, Wharton, Williamson, Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rickwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX; Alleghany, Amherst, Appomatox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Lee, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise, and Wythe Counties and Independent Cities of: Bedford, Bristol, Buena Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, So. Boston and Staunton, VA.

(4) From points in Blaine, Cascade, Chouteau, Fergus, Golden Valley, Hill, Judith Basin, Lewis and Clark, Liberty, Meagher, Petroleum, Pondera, Teton, Toole, and Wheatland Counties, MT, to points in Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline, and White Counties, AR; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wyane, White, and Williamson Counties, IL; Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo, and Warrick Counties, IN; Allen, Barren, Breckinridge, Bullitt, Butler, Christian, Edmonson, Grayson, Hardin, Hart, Henry, Jefferson, LaRue, Logan, Meade, Muhlenberg, Nelson, Ohio, Oldham, Sheleby, Simpson, Spencer, Todd, Trimble, Warren, Adair, Anderson, Boyle, Casey, Clinton, Cumberland, Fayette, Gerrard, Green, Jessamine, Lincoln, Madison, Marion, Mercer, Metcalfe, Monroe, Pulaski, Rockcastle, Russell, Taylor, Washington, Wayne, Woodford, Bell, Breathitt, Clay, Estill, Floyd, Harlan, Jackson, Knott, Knox, Laurel, Lee, Leslie, Letcher, McCreary, Owsley, Perry, Pike, Whitley, Ballard, Caldwell, Calloway, Carlisle, Crittenden, Daviess, Fulton, Graves, Hancock, Henderson, Hickman, Hopkins, Livingston, Lyon, Marshall, McCracken, McLean, Trigg, Union, and Webster Counties, KY; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard, and Wayne Counties, MO: Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Gannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt, and Wood Counties, TX; Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Lee, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise, and Wythe Counties and Independent Cities of: Bedford, Bristol, Buena Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, So. Boston, and Staunton; Accomack, Gloucester, Greensville, Isle of Wight, Lancaster, Mathews, Middlesex, Nansemond, Northampton, Northumberland, Richmond, Southampton, Surry, Sussex and York Counties and Independent Cities of: Chesapeake, Emporia, Franklin, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach and Williamsburg; Albemarle, Amelia, Brunswick, Buckingham, Charles City, Chesterfield, Cumberland, Dinwiddie, Fluvanna, Goochland, Hanover, Henrico, James City, King and Queen, King William, Louisa, Lunenburg, Mecklenburg, New Kent, Nottoway, Powhatan, Prince Edward, and Prince George Counties and Independent Cities of: Charlottesville, Colonial Heights, Hopewell, Petersburg, Richmond, and Waynesboro, VA; Greenbrier, McDowell, Mercer, Monroe, Pacahontas, Raleigh, Summers, Wyoming, Boone, Cabell, Lincoln, Logan Mingo, Putnam, and Wayne Counties, WV. (5) From points in Flathead, Glacier, Lake, Lincoln, Mineral, Missoula, Powell, and Sanders Counties, MT, to points in Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson

Counties, IL: Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo and Warrick Counties, IN; points in KY; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; Austin, Bastrop, Bell, Brazoria, Barzos, Burleson, Caldwell, Calhoun, Chambers, Colorado, Comal, DeWitt, Falls, Fayette, Fort Bend, Galveston, Gonzales, Grimes, Guadalupe, Hardin, Harris, Hays, Houston, Jackson, Jasper, Jefferson, Lavaca, Lee, Leon, Liberty, Limestone, Madison, Matagorda, Milam, Montgomery, Newton, Orange, Polk, Robertson, San Jacinto, Travis, Trinity, Tyler, Victoria, Walker, Waller, Washington, Wharton, Williamson, Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX; Arlington, Caroline, Culpeper, Essex, Fairfax, Fauquier, King, George, Orange, Prince William, Spotsylvania, Stafford and Westmoreland Counties and Independent Cities of: Alexandria, Fairfax, Falls Church and Fredericksburg; Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Lee, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise and Wythe Counties and Independent Cities of: Bedford, Bristol, Buena Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, So. Boston and Staunton; Accomack, Gloucester, Greensville, Isle of Wight, Lancaster, Mathews, Middlesex, Nansemond, Northampton, Northumberland, Richmond, Southampton, Surry, Sussex and York Counties and Independent Cities of: Chesapeake, Emporia, Franklin, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach and Williamsburg; Albemarle, Amelia, Brunswick, Buckingham, Charles City, Chesterfield, Cumberland, Dinwiddie, Fluvanna, Goochland, Hanover, Henrico, James City, King and Queen, King William, Louisa, Lunenburg, Mecklenburg, New Kent, Nottoway, Powhatan, Prince Edward and Prince George Counties and Independent Cities of: Charlottesville, Colonial Heights, Hopewell, Petersburg, Richmond and Waynesboro, VA; Greenbrier, McDowell, Mercer, Monroe, Pocahontas, Raleigh, Summers, Wyoming, Braxton, Clay, Fayette, Kanawha, Nicholas, Webster, Boone, Cabell, Lincoln, Logan, Mingo, Putnam and Wayne Counties, WV. (6) From points in Bighorn, Carbon, Carter, Custer, Fallon, Musselshell, Powder River, Prairie, Rosebud, Treasure, Wibaux and Yellowstone Counties, MT, to points in Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Sprints, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson Counties, IL; Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo and Warrick Counties, IN; Allen, Barren, Breckinridge, Bullitt, Butler, Christian, Edmonson, Grayson, Hardin, Hart, Henry, Jefferson, LaRue, Logan, Meade, Muhlenberg, Nelson, Ohio, Oldham, Sheleby, Simpson, Spencer, Todd, Trimble, Warren, Adair, Anderson, Boyle, Casey, Clinton, Cumberland, Fayette, Gerrard, Green, Jessamine, Lincoln, Madison, Marion, Mercer, Metcalfe, Monroe, Pulaski, Rockcastle, Russell, Taylor, Washington, Wayne, Woodford, Bell, Breathitt, Clay, Estill, Floyd, Harlan, Jackson, Knott, Knox, Laurel, Lee, Leslie, Letcher, McCreary, Owsley, Perry, Pike, Whitley, Ballard, Caldwell, Calloway, Carlisle, Crittenden, Daviess, Fulton, Graves, Hancock, Henderson, Hickman, Hopkins, Livingston, Lyon, Marshall, McCracken, McLean, Trigg, Union and Webster Counties, KY; Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX; Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Lee, Montgomery, Neson, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Taxewell, Washington, Wise and Wythe Counties and Independent Cities, of: Bedford, Bristol, Buema Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, So. Boston and Staunton; Accomack, Gloucester, Greensville, Isle of Wight, Lancaster, Mathews, Middlesex, Nansemond, Northampton, Northumberland, Richmond, Southampton, Surry, Sussex and York Counties and Independent Cities of: Chesapeake, Emporia, Franklin, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach and Williamsburg; Albemarle, Amelia, Brunswick, Buckingham, Charles City, Chesterfield, Cumberland, Dinwiddie, Fluvanna, Goochland, Hanover, Henrico, James City, King and Queen, King William, Louisa, Lunenburg, Mecklenburg, New Kent, Nottoway, Powhatan, Prince Edward and Prince George Counties and Independent Cities of: Charlottesville, Colonial Heights, Hopewell, Petersburg, Richmond and Waynesboro, VA; Greenbrier, McDowell, Mercer, Monroe, Pocahontas, Raleigh, Summers and Wyoming Counties, WV. (Gateway eliminated: Greene County, AR.)

MC 107012 (Sub-E812), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *Commercial and Institutional Fixtures and Store and Office Equipment, Uncrated,* (1) From points in NV, to points in AL, CT, DE, DC, FL, GA, KY, ME, MD, MA, MS, NH, NJ, NC, RI, SC, TN, VT, VA and WV. (2) From points in Clark and Lincoln Counties, NV, to points in Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; points in IL; points in IN; Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Saint Bernard, Saint Charles, Saint Helena, Saint James, Saint John the Baptist,

Saint Martin, Saint Mary, Saint Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge and West Feliciana Parishes, LA; Bay, Clinton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Jackson, Lapeer, Lenawee, Livingston, Macomb, Midland, Monroe, Oakland, Saginaw, Saint Clair, Sanilac, Shiawassee, Tuscola, Washtenaw, Wayne, Alcona, Alpena, Antrim, Arenac, Benzie, Charlevoix, Cheboygan, Clare, Crawford, Emmet, Gladwin, Grand Traurse, Iosco, Isabella, Kalkaska, Lake, Leelanau, Manistee, Mason, Mecosta, Missaukee, Montmorency, Newaygo, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Presque Isle, Roscommon, Wexford, Chippewa, Luce, Mackinac, Allegan, Barry, Berrien, Branch, Calhoun, Cass, Eaton, Ionia, Kalamazoo, Kent, Montcalm, Muskegon, Ottawa, Saint Joseph and Van Buren Counties, MI; Bollinger, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; points in NY; points in OH; points in PA; Columbia, Dane, Dodge, Green, Jefferson, Kenosha, Milwaukee, Ozaukee, Racine, Rock, Walworth, Washington and Waukesha Counties, WI. (3) From points in Esmeralda, Eureka, Lander and Nye Counties, NV, to points in Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Bond, Calhoun, Christian, Clinton, Effingham, Fayette, Greene, Jersey, Macoupin, Madison, Monroe, Montgomery, Morgan, Pike, Saint Clair, Sangamon, Scott, Shelby, Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White, Williamson, Champaign, Clark, Coles, Crawford, Cumberland, DeWitt, Douglas, Edgar, Ford, Grundy, Iriquois, Jasper, Kankakee, Lawrence, Livingston, Macon, McLean, Moultrie, Piatt, Richland, Vermilion, and Wabash Counties, IL; Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo, Warrick, Adams, Allen, Blackford, Dekalb, Delaware, Elkhard, Grant, Huntington, Jay, Kosciusko, Lagrange, Noble, Randolph, Steuben, Wabash, Wells, Whitley, Boone, Clinton, Hamilton, Hancock, Hendricks, Johnson, Madison, Marion, Morgan, Shelby, and Tipton Counties, IN; Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Saint Bernard, Saint Charles, Saint Helena, Saint James, Saint John the Baptist, Saint Martin, Saint Mary, Saint Tammany, Tangipahoe, Terrebonne, Washington, West Baton Route and West Feliciana Parishes, LA; Bay, Clinton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Jackson, Lapeer, Lenawee, Livingston, Macomb, Midland, Monroe, Oakland, Saginaw, Saint Clair, Sanilac, Shiawassee, Tuscola, Washtenaw and Wayne Counties, MI; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO: points in NY; points in OH; points in PA. (4) From points in Elko and Whitepine Counties, NV, to points in Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson Counties, IL: Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo and Warrick Counties, IN; Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSale, Rapids, Saint Landry, Vernon, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Saint Bernard, Saint Charles, Saint Helena, Saint James, Saint John the Baptist, Saint Martin, Saint Mary, Saint Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge and West Feliciana Parishes, LA, Bollinger, Butler, Cape Girardiau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; Broome, Cayuga, Chemung, Chenango, Courtland, Delaware, Madison, Onondaga, Ontario, Otsego, Schoharie, Schuyler, Seneca, Tioga, Tompkins, Wayne, Yates, Albany, Bronx, Columbia, Dutchess, Greene, Kings, Nassau, New York, Orange, Putnam, Queens, Rensselaer, Richmond, Rockland, Sullivan, Ulster, Westchester, Herkimer, Jefferson, Lewis, Oneida, Oswego, St. Lawrence, Clinton, Essex, Franklin, Fulton, Hamilton, Montgomery, Saratoga, Schenectady, Warren, Washington and Suffolk Counties, NY; Adams, Brown, Butler, Champaign, Clark, Clermont, Clinton, Darke, Greene, Hamilton, Highland, Miami, Montgomery, Preble, Shelby, Warren, Coshocton, Crawford, Delaware, Fairfield, Fayette, Franklin, Knox, Licking, Logan, Madison, Marion, Morrow, Pickaway, Richland, Union, Athens, Belmont, Gallia, Guernsey, Hocking, Jackson, Lawrence, Meigs, Monroe, Morgan, Mustingum, Noble, Perry, Pike, Ross, Scioto, Vinton and Washington Counties, OH; Adams, Bedford, Blair, Cambria, Centre, Clearfield, Clinton, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lycoming, Mifflin, Montour, Northumberland, Perry, Snyder, Tioga, Union, Berks, Bucks, Chester, Delaware, Lancaster, Lebanon, Lehigh, Montgomery, Northampton, Philadelphia, Schuylkill, York, Bradford, Carbon, Columbia, Lackawanna, Luzerne, Monroe, Pike, Sullivan, Susquehanna, Wayne, Wyoming, Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Lawrence, Somerset, Washington and Westmoreland, Counties, PA. (5) From points in Churchill, Douglas, Humboldt, Lyon, Mineral, Ormsby, Pershing, Storey and Washoe Counties, NV, to points in Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Bond, Calhoun, Christian, Clinton, Effingham, Fayette, Greene, Jersey, Macoupin, Madison, Monroe, Montgomery, Morgan, Pike, Saint Clair, Sangamon, Scott, Shelby, Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson Counties, IL; Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo, Warrick,

Boone, Clinton, Hamilton, Hancock, Hendricks, Johnson, Madison, Marion, Morgan, Shelby and Tipton Counties, IN; Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Rapids, Saint Landry, Vernon, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Saint Bernard, Saint Charles, Saint Helena, Saint James, Saint John the Baptist, Saint Martin, Saint Mary, Saint Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge, West Feliciana, Bienville, Bossier, Caddo, Claiborne, Desoto, Natchitoches, Reo River, Sabine and Webster Parishes, LA; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; points in NY; Adams, Brown, Butler, Champaign, Clark, Clermont, Clinton, Darke, Greene, Hamilton, Highland, Miami, Montgomery, Preble, Shelby, Warren, Coshocton, Crawford, Delaware, Fairfield, Fayette, Franklin, Knox, Licking, Logan, Madison, Marion, Morrow, Pickaway, Richland, Union, Athens, Belmont, Gallia, Guernsey, Hocking, Jackson, Lawrence, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pike, Ross, Scioto, Vinton and Washington Counties, OH; points in PA; Anderson, Angeline, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwell, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX. (Gateway eliminated: Greene County, AR.)

MC 107012 (Sub-E813), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *Commercial and Institutional Fixtures and Store and Office Equipment, Crated,* (1) From points in NV, to points in AL, CT, DE, DC, FL, GA, KY, ME, MD, MA, MS, NH, NJ, NC, RI, SC, TN, VT, VA and WV. (2) From points in Clark and Lincoln Counties, NV, to points in Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; points in IL; points in IN; Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Saint Bernard, Saint Charles, Saint Helena, Saint James, Saint John the Baptist, Saint Martin, Saint Mary, Saint Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge and West Feliciana Parishes, LA; Bay, Clinton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Jackson, Lapeer, Lenawee, Livingston, Macomb, Midland, Monroe, Oakland, Saginaw, Saint Clair, Sanilac, Shiawassee, Tuscola, Washtenaw, Wayne, Alcona, Alpens, Antrim, Arenac, Benzie, Charlevo, Cheboygan, Clare, Crawford, Emmet, Gladwin, Grand Traurse, Iosco, Isabella, Kalkaska, Lake, Leelanau, Manistee, Mason, Mecosta, Missaukee, Montmorency, Newaygo, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Presque Isle, Roscommon, Wexford, Chippewa, Luce, Mackinac, Allegan, Barry, Berrien, Branch, Calhoun, Cass, Eaton, Ionia, Kalamazoo, Kent, Montcalm, Muskegon, Ottawa, Saint Joseph and Van Buren Counties, MI; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; points in NY; points in OH; points in PA; Columbia, Dane, Dodge, Green, Jefferson, Kenosha, Milwaukee, Ozaukee, Racine, Rock, Walworth, Washington and Waukesha Counties, WI. (3) From points in Esmeralda, Eureka, Lander and Nye Counties, NV, to points in Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoka, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Bond, Calhoum, Christian, Clinton, Effingham, Fayette, Greene, Jersey, Macoupin, Madison, Monroe, Montgomery, Morgan, Pike, Saint Clair, Sangamon, Scott, Shelby, Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White, Williamson, Champaign, Clark, Coles, Crawford, Cumberland, DeWitt, Douglas, Edgar, Ford, Grundy, Iriquois, Jasper, Kankakee, Lawrence, Livingston, Macon, McLean, Moultrie, Piatt, Richland, Vermilion and Wabash Counties, IL; Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo, Warrick, Adams, Allen, Blackford, DeKalb, Delaware, Elkhart, Grant, Huntington, Jay, Kosciusko, Lagrange, Noble, Randolph, Steuben, Wabash, Wells, Whitley, Boone, Clinton, Hamilton, Hancock, Hendricks, Johnson, Madison, Marion, Morgan, Shelby and Tipton Counties, IN; Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Saint Bernard, Saint Charles, Saint Helena, Saint James, Saint John the Baptist, Saint Martin, Saint Mary, Saint Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge and West Feliciana Parishes, LA; Bay, Clinton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Jackson, Lapeer, Lenawee, Livingston, Macomb, Midland, Monroe, Oakland, Saginaw, Saint Clair, Sanilac, Shiawassee, Tuscola, Washtenaw and Wayne Counties, MI; Bollinger, Butler, Cape Girardean, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; points in NY; points in OH; points in PA. (4) From points in Elko and Whitepine Counties, NV, to points in Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson Counties, IL; Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo and Warrick Counties, IN; Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Rapids, Saint Landry, Vernon, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Saint Bernard, Saint Charles, Saint Helena, Saint James, Saint John the Baptist, Saint Martin, Saint Mary, Saint

Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge and West Feliciana Parishes, LA; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; Broome, Cayuga, Chemung, Chenango, Courtland, Delaware, Madison, Onondaga, Ontario, Otsego, Schoharie, Schuyler, Seneca, Tioga, Tompkins, Wayne, Yates, Albany, Bronx, Columbia, Dutchess, Greene, Kings, Nassau, New York, Orange, Putnam, Queens, Rensselar, Richmond, Rockland, Sullivan, Ulster, Westchester, Herkimer, Jefferson, Lewis, Oneida, Oswego, St. Lawrence, Clinton, Essex, Franklin, Fulton, Hamilton, Montgomery, Saratoga, Schenectady, Warren, Washington and Suffolk Counties, NY; Adams, Brown, Butler, Champaign, Clark, Clermont, Clinton, Darke, Greene, Hamilton, Highland, Miami, Montgomery, Preble, Shelby, Warren, Coshocton, Crawford, Delaware, Fairfield, Fayette, Franklin, Knox, Licking, Logan, Madison, Marion, Morrow, Pickaway, Richland, Union, Athens, Belmont, Gallia, Guernsey, Hocking, Jackson, Lawrence, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pike, Ross, Scioto, Vinton and Washington Counties, OH; Adams, Bedford, Blair, Cambria, Centre, Clearfield, Clinton, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lycoming, Mifflin, Montour, Northumberland, Perry, Snyder, Tioga, Union, Berks, Bucks, Chester, Delaware, Lancaster, Lebanon, Lehigh, Montgomery, Northampton, Philadelphia, Schuylkill, York, Bradford, Carbon, Columbia, Lackawanna, Luzerne, Monroe, Pike, Sullivan, Susquehanna, Wayne, Wyoming, Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Lawrence, Somerset, Washington and Westmoreland Counties, PA. (5) From points in Churchill, Douglas, Humboldt, Lyon, Mineral, Ormsby, Pershing, Storey and Washoe Counties, NV, to points in Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Bond, Calhoun, Christian, Clinton, Effingham, Fayette, Greene, Jersey, Macoupin, Madison, Monroe, Montgomery, Morgan, Pike, Saint Clair, Sangamon, Scott, Shelby, Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson Counties, IL; Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo, Warrick Boone, Clinton, Hamilton, Hancock, Hendricks, Johnson, Madison, Marion, Morgan, Shelby and Tipton Counties, IN; Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Rapids, Saint Landry, Vernon, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Saint Bernard, Saint Charles, Saint Helena, Saint James, Saint John the Baptist, Saint Martin, Saint Mary, Saint Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge, West Feliciana, Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Reo River, Sabine and Webster Parishes, LA; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard, and Wayne Counties, MO; points in NY; Adams, Brown, Butler, Champaign, Clark, Clermont, Clinton, Darke, Greene, Hamilton, Highland, Miami, Montgomery, Preble, Shelby, Warren, Coshocton, Crawford, Delaware, Fairfield, Fayette, Franklin, Knox, Licking, Logan, Madison, Marion, Morrow, Pickaway, Richland, Union, Athens, Belmont, Gallia, Guernsey, Hocking, Jackson, Lawrence, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pike, Ross, Scioto, Vinton and Washington Counties, OH; points in PA; Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwell, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX. (Gateway eliminated: Greene County, AR.)

MC 107012 (Sub-E814), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *Commercial and Institutional Fixtures and Store and Office Equipment, Uncrated* (1) From points in NH, to points in AZ, AR, CA, LA, NV, NM, OK, OR, TX and UT. (2) From points in Coos, Carroll and Grafton Counties, NH, to points in Garfield, Mesa, Moffat, Rio Blanco, Routt, Adams, Arapahoe, Boulder, Cedar Creek, Chaffee, Denver, Douglas, Eagle, Elbert, El Paso, Fremont, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Park, Pitkin, Summit, Teller, Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Bace, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley, Washington, Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Cassia, Clark, Franklin, Fremont, Jefferson, Jerome, Lincoln, Madison, Minidoka, Oneida and Power Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson, Bourbon, Butler Chautauo Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson, Woodson, Barber, Barton, Chase, Clay, Cloud, Dickinson, Ellsworth, Geary, Harper, Harvey, Jewell, Kingman, Lincoln, Marion, McPherson, Mitchell, Morris, Osborne, Ottawa, Pratt, Reno, Republic, Rice, Riley, Russell, Saline, Sedgwick, Smith, Stafford, Sumneer and Washington, Counties, KS; points in MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties TN; Clark, Cowlitz, Klickitat, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum, Yakima, Clallam, Grays Harbor, Jefferson, Kitsap, Mason, San Juan, Adams, Asotim, Benton, Columbia, Franklin, Garfield, Walla Walla and Whitman Counties, WA; Lincoln, Sublette, Sweetwater and Unita Counties, WY. (3) From points in Cheshire, Hillsboro and Sullivan

Counties, NH, to points in Garfield, Mesa, Moffat, Rio Blanco, Routt, Adams, Arapahoe, Boulder, Cedar Creek, Chaffee, Denver, Douglas, Eagle, Elbert, El Paso, Fremont, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Park, Pitkin, Summit, Teller, Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueble Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley, Washington, Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Cassia, Clark, Franklin, Fremont, Jefferson, Jerome, Lincoln, Madison, Minidoka, Oneida and Power Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson and Woodson Counties, KS; points in MS, Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; Chester, Crockett, Dryer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; Clark, Cowlitz, Klickitat, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum, Yakima, Clallam, Grays Harbor, Jefferson, Kitsap, Mason and San Juan Counties, WA. (4) From points in Belknap, Merrimack, Rockingham and Strafford Counties, NH, to points in Garfield, Mesa, Moffat, Rio Blanco, Routt, Adams, Arapahoe, Boulder, Cedar Creek, Chaffee, Denver, Douglas, Eagle, Elbert, El Paso, Fremont, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Park, Pitkin, Summit, Teller, Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley, Washington, Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Cassia, Clark, Franklin, Fremont, Jefferson, Jerome, Lincoln, Madison, Minidoka, Oneida and Power Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson, Woodson, Barber, Barton, Chase, Clay, Cloud, Dickinson, Ellsworth, Geary, Harper, Harvey, Jewell, Kingman, Lincoln, Marion, McPherson, Mitchell, Morris, Osborne, Ottawa, Pratt, Reno, Republic, Rice, Riley, Russell, Saline, Sedgwick, Smith, Stafford, Sumneer and Washington Counties, KS; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith, Winston, Adams, Amite, Franklin, Jefferson, Jefferson Davis, Lawrence, Lincoln, Marion, Pike, Walthall, Wilkinson, Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, Desoto, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Tunila, Union, Webster and Yalobusha Counties, MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; Clark, Cowlitz, Klickitat, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum, Yakima, Clallam, Grays Harbor, Jefferson, Kitsap, Mason, San Juan, Adams, Asotim, Benton, Columbia, Franklin, Garfield, Walla Walla and Whitman Counties, WA; Lincoln, Sublette, Sweetwater and Uinta Counties, WY. (Gateway eliminated: Greene County, AR.)

MC 107012 (Sub-E815), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46301. Representatives: David D. Bishop and Gary M. Crist (same as above), *Commercial and Institutional fixtures and Store and Office Equipment, Crated*, (1) From points in NH, to points in AZ, AR, CA, LA, NV, NW, OK, OR, TX and UT. (2) From points in Coos, Carroll and Grafton Counties, NH, to points in Garfield, Mesa, Moffat, Rio Blanco, Routt Adams, Arapahoe, Boulder, Cedar Creek, Chaffee, Denver, Douglas, Eagle, Elbert, El Paso, Fremont, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Park, Pitkin, Summit, Teller, Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley, Washington, Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Cassia, Clark, Franklin, Fremont, Jefferson, Jerome, Lincoln, Madison, Minidoka, Oneida and Power Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson, Bourbon, Butler, Chatauqua, Cherokee, Coffey, Cowley, Crewford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson, Woodson, Barber, Barton, Chase, Clay, Cloud, Dickinson, Ellsworth, Geary, Harper, Harvey, Jewell, Kingman, Lincoln, Marion, McPherson, Mitchell, Morris, Osborne, Ottawa, Pratt, Reno, Republic, Rice, Riley, Russell, Saline, Sedgwick, Smith, Stafford, Sumneer and Washington Counties, KS; points in MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; Clark, Cowlitz, Klickitat, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum, Yakima, Clallam, Grays Harbor, Jefferson, Kitsap, Mason, San Juan, Adams, Asotim, Benton, Columbia,

Franklin, Garfield, Walla Walla and Whitman Counties, WA; Lincoln, Sublette, Sweetwater and Uinta Counties, WY. (3) From points in Chesire, Hillsboro and Sullivan counties, NH, to points in Garfield, Mesa, Moffat, Rio Blanco, Routt, Adams Arapaho, Boulder, Cedar Creek, Chaffee, Denver, Douglas, Eagle, Elbert, El Paso, Fremont, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Park, Pitkin, Summit, Teller, Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley, Washington, Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Cassia, Clark, Franklin, Fremont, Jefferson, Jerome, Lincoln, Madison, Minidoka, Oneida and Power Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman,, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyene, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson and Woodson Counties, KS; points in MS, Barry, Barton, Camden, Cedar, Christian, Date, Dallas, Douglas, Greene, Hockory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; Clark, Cowlitz, Klickitat, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum, Yakima, Clallam, Grays Harbor, Jefferson, Kitsap, Mason and San Juan Counties, WA. (4) From points in Belknap, Merrimack, Rockingham and Strafford Counties, NH, to points in Garfield, Mesa Moffat, Rio Blanco, Routt, Adams, Arapahoe, Boulder, Cedar Creek, Chaffee, Denver, Douglas, Eagle, Elbert, El Paso, Fremont, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Park, Pitkin, Summit, Teller, Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley, Washington, Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Cassia, Clark, Franklin, Fremont, Jefferson, Jerome, Lincoln, Madison, Minidoka, Oneida and Power Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson, Woodson, Barber, Barton, Chase, Clay, Cloud, Dickinson, Ellsworth, Geary, Harper, Harvey, Jewell, Kingman, Lincoln, Marion, McPherson, Mitchell, Morris, Osborne, Ottawa, Pratt, Reno, Republic, Rice, Riley, Russell, Saline, Sedgwick, Smith, Stafford, Sumneer and Washington Counties, KS; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith, Winston, Adams, Amite, Franklin, Jefferson, Jefferson Davis, Lawrence, Lincoln, Marion, Pike, Walthall, Wilkinson, Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, Desoto, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Tunila, Union, Webster and Yalobusha Counties, MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; Clark, Cowlitz, Klickitat, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum, Yakima, Clallam, Grays Harbor, Jefferson, Kitsap, Mason, San Juan, Adams, Asotim, Benton, Columbia, Franklin, Garfield, Walla Walla and Whitman Counties, WA; Lincoln, Sublette, Sweetwater and Uinta Counties, WY. (Gateway eliminated: Green County, AR.)

MC 107012 (Sub-E816), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *Commercial and Institutional Fixtures and Store and Office Equipment, Uncrated,* (1) From points in NJ to points in AZ, AR, CA, NV, NM, OK, OR, TX and UT. (2) From points in Atlantic, Burlington, Cape May, Monmouth, Ocean, Camden, Cumberland, Gloucester, Salem, Hunterdon, Mercer, Middlesex, Somerset and Union Counties, NJ, to points in Garfield, Mesa, Moffat, Rio Blanco, Routt, Adams, Arapahoe, Boulder, Cedar Creek, Chaffee, Denver, Douglas, Eagle, Elbert, El Paso, Fremont, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Park, Pitkin, Summit, Teller, Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley, Washington, Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Cassia, Clark, Franklin, Fremont, Jefferson, Jerome, Lincoln, Madison, Minidoka, Oneida and Power Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montogomery, Neosho, Wilson and Woodson Counties, KS; Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Rapids, Saint Landry, Vernon, Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Reo River, Sabine and Webster Parishes, LA; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montogomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren,

Washington and Yazoo Counties, MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; points in WA; Lincoln, Sublette, Sweetwater and Uinta Counties, WY. (3) From points in Morris, Sussex and Warren Counties, NJ, to points in Garfield, Meas, Moffat, Rio Blanco, Routt, Adam, Arapahoe, Boulder, Cedar Creek, Chaffee, Denver, Douglas, Eagle, Elbert, El Paso, Fremont, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Park, Pitkin, Summit, Teller, Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hindsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley, Washington, Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Cassia, Clark, Franklin, Fremont, Jefferson, Jerome, Lincoln, Madison, Minidoka, Oneida and Power Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson and Woodson Counties, KS; Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Rapids, Saint Landry, Vernon, Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Reo River, Sabine and Webster Parishes, LA; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith, Winston, Adams, Amite, Franklin, Jefferson, Jefferson Davis, Lawrence, Lincoln, Marion, Pike, Walthall and Wilkinson Counties, MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; Clark, Cowlitz, Klickitat, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum, Yakima, Clallam, Grays Harbor, Jefferson, Kitsap, Mason, San Juan, Adams, Asotim, Benton, Columbia, Franklin, Garfield, Walla Walla, Whitman, Chelan, Douglas, Grant, Island, King, Kittitas, Skagit, Snohomish and Whatcom Counties, WA; Lincoln, Sublette, Steelwater and Vinta Counties, WY. (4) From points in Bergen, Essex, Hudson, and Passaic Counties, NJ, to points in Garfield, Mesa, Moffat, Rio Blanco, Routt, Adams, Arapahoe, Boulder, Cedar Creek, Chaffee, Denver, Douglas, Eagle, Elbert, El Paso, Fremont, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Park, Pitkin, Summit, Teller, Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hindsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley, Washington, Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Cassia, Clark, Franklin, Fremont, Jefferson, Jerome, Lincoln, Madison, Minidoka, Oneida and Power Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson and Woodson Counties, KS; Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Rapids, Saint Landry, Vernon, Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Reo River, Sabine and Webster Parishes, LA; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith, Winston, Adams, Amite, Franklin, Jefferson, Jefferson Davis, Lawrence, Lincoln, Marion, Pike, Walthall and Wilkinson Counties, MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; points in WA; Lincoln, Sublette, Sweetwater and Uinta Counties, WY. (Gateway eliminated: Greene County, AR.)

MC 107012 (Sub-E817), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *Commercial and Institutional Fixtures and Store and Office Equipment, Crated,* (1) From points in NJ to points in AZ, AR, CA, NV, NM, OK, OR, TX, and UT. (2) From points in Atlantic, Burlington, Cape May, Monmouth, Ocean, Camden, Cumberland, Gloucester, Salem, Hunterdon, Mercer, Middlesex, Somerset and Union Counties, NJ, to points in Garfield, Mesa, Moffat, Rio Blanco, Routt, Adams, Arapahoe, Boulder, Cedar Creek, Chaffee, Denver, Douglas, Eagle, Elbert, El Paso, Fremont, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Park, Pitkin, Summit, Teller, Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley, Washington, Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Cassia, Clark, Franklin, Fremont, Jefferson, Jerome, Lincoln, Madison, Minidoka, Oneida and Power Counties, ID; Clark,

Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson and Woodson Counties, KS; Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Rapids, Saint Landry, Vernon, Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Quachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Reo River, Sabine and Webster Parishes, LA; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington and Yazoo Counties, MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; points in WA; Lincoln, Sublette, Sweetwater and Uinta Counties, WY. (3) From points in Morris, Sussex and Warren Counties, NJ, to points in Garfield, Mesa, Moffat, Rio Blanco, Routt, Adams, Arapahoe, Boulder, Ceder Creek, Chaffee, Denver, Douglas, Eagle, Elbert, El Paso, Fremont, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Park, Pitkin, Summit, Teller, Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley, Washington, Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Cassia, Clark, Franklin, Fremont, Jefferson, Jerome, Lincoln, Madison, Minidoka, Oneida and Power Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson and Woodson Counties, KS; Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Rapids, Saint Landry, Vernon, Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Reo River, Sabine and Webster Parishes, LA; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith, Winston, Adams, Amite, Franklin, Jefferson, Jefferson Davis, Lawrence, Lincoln, Marion, Pike, Walthall and Wilkinson Counties, MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; Clark, Cowlitz, Klickitat, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum, Yakima, Clallam, Grays Harbor, Jefferson, Kitsap, Mason, San Juan, Adams, Asotim, Benton, Columbia, Franklin, Garfield, Walla Walla, Whitman, Chelan, Douglas, Grant, Island, King, Kittitas, Skagit, Snohomish and Whatcom Counties, WA; Lincoln, Sublette, Sweetwater and Uinta Counties, WY. 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(Gateway eliminated: Greene County, AR.)

MC 107012 (Sub-E818), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *Commercial and Institutional Fixtures and Store and Office Equipment, Uncrated,* (1) From

points in NM, to points in CT, DE, DC, GA, KY, ME, MD, MA, NH, NJ, NY, NC, OH, PA, RI, SC, TN, VT, VA, and WY. (2) From points in Bernalillo, Guadalupe, Los Alamos, Sandoval, San Miguel, Santa Fe, Torrance and Valencia Counties, NM, to points in AL; points in FL; Bond, Calhoum, Christian, Clinton, Effingham, Fayette, Greene, Jersey, Macoupin, Madison, Monroe, Montgomery, Morgan, Pike, Saint Clair, Sangamon, Scott, Shelby, Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White, Williamson, Cook, Dupage, Kane, Kendall, Lake, Will, Champaign, Clark, Coles, Crawford, Cumberland, DeWitt, Douglas, Edgar, Ford, Grundy, Iriquois, Jasper, Kankakee, Lawrence, Livingston, Macon, McLean, Moultrie, Piatt, Richland, Vermilion and Wabash Counties, IL; points in IN; Bay, Clinton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Jackson, Lapeer, Lenawee, Livingston, Macomb, Midland, Monroe, Oakland, Saginaw, Saint Clair, Sanilac, Shiawassee Tuscola, Washtenaw, Wayne, Alcona, Alpena, Antrim, Arenac, Benzie, Charlevoix, Cheboygan, Clare, Crawford, Emmet, Gladwin, Grand Traurse, Iosco, Isabella, Kalkaska, Lake, Leelanau, Manistee, Mason, Mecosta, Missaukee, Montmorency, Newaygo, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Presque, Isle, Roscommon, Waxford, Alger, Delta, Dickinson, Marquette, Menominee, Schoolcraft, Chippewa, Luce, Mackinac, Allegan, Barry, Berrien, Branch, Calhoun, Cass, Eaton, Ionia, Kalamazoo, Kent, Montcalm, Muskegon, Ottawa, Saint Joseph and Van Buren Counties, MI; Boliva, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washinton, (3) From points in Allegany, Cattaraugus, Chatauqua, Erie, Genesee, Livingston, Monroe, Niagara, Orleans, Steuben and Wyoming Counties, NY, to points in Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson and Woodson Counties, KS; points in LA; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Covington, Forrest, George, Greene, Hancok, Harrison, Jackson, Jones, Lamar, Pearl River, Perry, Stone, Wayne, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith, Winston, Adams, Amite, Franklin, Jefferson, Jefferson Davis, Lawrence, Lincoln, Marion, Pike, Walthall and Wilkinson Counties, MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; Clark, Lincoln, Esmeralda, Eureka, Lander, Nye, Churchill, Douglas, Humboldt, Lyon, Mineral, Ormsby, Pershing, Storey and Washoe Counties, NV; Benton, Clackamas, Clatsop, Columbia, Lane, Lincoln, Linn, Marion, Multnomah, Polk, Tillamook, Washington, Yamhill, Crook, DeSchutes, Gilliam, Hood River, Jefferson, Sherman, Wasco, Wheeler, Harney, Klamath, Lake, Malheur, Coos, Curry, Douglas, Jackson and Josephine Counties, OR; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; Beaver, Iron, Washington, Carbon, Daggett, Duchesme, Emery, Grand, San Juan, Uimtah, Garfield, Juab, Kane, Millard, Piute, Sanpete, Sevier and Wayne Counties, UT; Clark, Cowlitz, Klickitat, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum and Yakima Counties, WA. (4) From points in Albany, Bronx, Columbia, Dutchess, Greene, Kings, Nassau, New York, Orange, Putnam, Queens, Rensselar, Richmond, Rockland, Sullivan, Ulster and Westchester Counties, NY, to points in Garfield, Mesa, Moffat, Rio Blanco, Routt, Adams, Arapahoe, Boulder, Cedar Creek, Chaffee, Denver, Douglas, Eagle, Elbert, El Paso, Fremont, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Park, Pitkin, Summit, Teller, Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley, Washington, Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Cassia, Clark, Franklin, Fremont, Jefferson, Jerome, Lincoln, Madison, Minidoka, Oneida and Power Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson and Woodson Counties, KS; Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Rapids, Saint Landry, Vernon, Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Reo River, Sabine and Webster Parishes, LA; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith and Winston Counties, MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; points in NV; points in OR; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; points in UT; points in WA; Lincoln, Sublette, Sweetwater and Uinta Counties, WY. (5) From points in Herkimer, Jefferson Lewis, Oneida, Oswego and St. Lawrence Counties, NY, to points in Baldwin, Butler, Choctaw, Clarke, Conecuh, Dallas, Escambia, Greene, Hale, Lawndes, Marengo, Mobile, Monroe, Perry, Sumter, Washington and Wilcox Counties, AL; Garfield, Mesa, Moffat, Rio Blanco, Routt, Adams, Arapahoe, Boulder, Cedar Creek, Chaffee, Denver, Douglas, Eagle, Elbert, El Paso, Fremont, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Park, Pitkin, Summit, Teller, Alamosa,

Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley and Washington Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson and Woodson Counties, KS; points in LA; points in MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; points in NV; points in OR; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; Beaver, Iron, Washington, Carbon, Daggett, Duchesme, Emery, Grand, San Juan, Uimtah, Garfield, Juab, Kane, Millard, Piute, Sanpete, Sevier and Wayne Counties, UT; Clark, Cowlitz, Klickitat, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum and Yakima Counties, WA. (6) From points in Clinton, Essex, Franklin, Fulton, Hamilton, Montgomery, Saratoga, Schenectady, Warren and Washington, Counties, NY, to points in Baldwin, Butler, Choctaw, Clarke, Conecuh, Dallas, Escambia, Greene, Hale, Lawndes, Marengo, Mobile, Monroe, Perry, Sumter, Washington and Wilcox Counties, AL; Garfield, Mesa, Moffat, Rio Blanco, Routt, Adams, Arapahoe, Boulder, Cedar Creek, Chaffee, Denver, Douglas, Eagle, Elbert, El Paso, Fremont, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Park, Pitkin, Summit, Teller, Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley, Washington, Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Cassia, Clark, Franklin, Fremont, Jefferson, Jerome, Lincoln, Madison, Minidoka, Oneida and Power Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson and Woodson Counties, KS; points in LA; points in MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; points in NV; points in OR; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; points in UT; Clark, Cowlitz, Klickitat, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum, Yakima, Clallam, Grays Harbor, Jefferson, Kitsap, Mason and San Juan Counties, WA. (7) From points in Suffolk County, NY, to points in CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley, Washington, Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Cassia, Clark, Franklin, Fremont, Jefferson, Jerome, Lincoln, Madison, Minidoka, Oneida and Power Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson and Woodson Counties, KS; Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Rapids, Saint Landry, Vernon, Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Reo River, Sabine and Webster Parishes, LA; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith, Winston Adams, Amite, Franklin, Jefferson, Jefferson Davis, Lawrence, Lincoln, Marion, Pike, Walthall and Wilkinson Counties, MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; points in NV; points in OR; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; points in UT; points in WA; Lincoln, Sublette, Sweetwater and Uinta Counties, WY. (Gateway eliminated: Greene County, AR.)

MC 107012 (Sub-E819), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *Commercial and Institutional Fixtures and Store and Office Equipment, Crated.* (1) From points in NM, to points in CT, DE, DC, GA, KY, ME, MD, MA, NH, NJ, NY, NC, OH, PA, RI, SC, TN, VT, VA, and WY. (2) From points in Bernalillo, Guadalupe, Los Alamos, Sandova, San Miguel, Santa Fe, Torrance and Valencia Counties, NM, to points in AL; points in FL; Bond, Calhoum, Christian, Clinton, Effingham, Fayette, Greene, Jersey, Macoupin, Madison, Monroe, Montgomery, Morgan, Pike, Saint Clair, Sangamon, Scott, Shelby, Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White, Williamson, Cook, DuPage, Kane, Kendall, Lake, Will, Champaign, Clark, Coles, Crawford, Cumberland, DeWitt, Douglas, Edgar, Ford, Grundy, Iriquois, Jasper, Kankakee, Lawrence, Livingston, Macon, McLean, Moultrie, Piatt, Richland, Vermilion and Wabash Counties, IL; points in IN; Bay, Clinton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Jackson, Lapeer, Lenawee, Livingston, Macomb, Midland, Monroe, Oakland, Saginaw, Saint Clair, Sanilac,

Shiawassee, Tuscola, Washtenaw, Wayne, Alcona, Alpena, Antrim, Arenac, Benzie, Charlevoix, Cheboygan, Clare, Crawford, Emmet, Gladwin, Grand Traurse, Iosco, Isabella, Kalkaska, Lake, Leelanau, Manistee, Mason, Mecosta, Missaukee, Montmorency, Newaygo, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Presque Isle, Roscommon, Wexford, Alger, Delta, Dickinson, Marquette, Menominee, Schoolcraft, Chippewa, Luce, Mackinac, Allegan, Barry, Berrien, Branch, Calhoun, Cass, Eaton, Ionia, Kalamazoo, Kent, Montcalm, Muskegon, Ottawa, Saint Joseph and Van Buren Counties, MI; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, Desoto, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Tunila, Union, Webster and Yalobusha Counties, MS; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; Columbia, Dane, Dodge, Green, Jefferson, Kenosha, Milwaukee, Ozaukee, Racine, Rock, Walworth, Washington, and Waukesha Counties, WI. (3) From points in McKinley, Rio Arriba and San Juan Counties, NM, to points in AL; Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; points in FL; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White, Williamson, Champaign, Clark, Coles, Crawford, Cumberland, DeWitt, Douglas, Edgar, Ford, Grundy, Iriquois, Jasper, Kankakee, Lawrence, Livingston, Macon, McLean, Moultrie, Piatt, Richland, Vermilion and Wabash Counties, IL; Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo, Warrick, Adams, Allen, Blackford, DeKalb, Delaware, Elkhart, Grant, Huntington, Jay, Kosciusko, Lagrange, Noble, Randolph, Steuben, Wabash, Wells, Whitley, Boone, Clinton, Hamilton, Hancock, Hendricks, Johnson, Madison, Marion, Morgan, Shelby and Tipton Counties, IN; Bay, Clinton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Jackson, Lapeer, Lenawee, Livingston, Macomb, Midland, Monroe, Oakland, Saginaw, Saint Clair, Sanilac, Shiawassee, Tuscola, Washtenaw, Wayne, Alcona, Alpena, Antrim, Arenac, Benzie, Charlevoix, Cheboygan, Clare, Crawford, Emmet, Gladwin, Grand Traurse, Iosco, Isabella, Kalkaska, Lake, Leelanau, Manistee, Mason, Mecosta, Missaukee, Montmorency, Newaygo, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Presque Isle, Roscommon, Wexford, Allegan, Barry, Berrien, Branch, Calhoun, Cass, Eaton, Ionia, Kalamazoo, Kent, Montcalm, Muskegon, Ottawa, Saint Joseph and Van Buren Counties, MI; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Isaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Covington, Forrest, George, Greene, Hancock, Harrison, Jackson, Jones, Lamar, Pearl River, Perry, Stone, Wayne, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith, Winston, Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, Desoto, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Tunila, Union, Webster and Yalobusha Counties, MS; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO. (4) From points in Chaves, Curry, DeBaca, Eddy, Lea, Lincoln, Quay and Roosevelt Counties, NM, to points in Autauga, Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Coosa, Cullman, Elmore, Etowah, Jefferson, Lee, Randolph, St. Clair, Shelby, Talladega, Tallapoosa, Colbert, Fayette, Franklin, Lamar, Lauderdale, Lawrence, Marion, Pickens, Tuscaloosa, Walker, Winston, De Kalb, Jackson, Limestone, Madison, Marshall and Morgan Counties, AL; Charlotte, De Soto, Glades, Hardee, Hendry, Highlands, Lee, Manatee, Okeechobee, Sarasota, Alachua, Baker, Bradford, Clay, Duval, Flagler, Levy, Marion, Nassau, Putnam, Saint Johns, Union, Broward, Collier, Dade, Martin, Monroe, Palm Beach, Saint Lucie, Brevard, Citrus, Hernando, Hillsborough, Indian River, Lake, Orange, Osceola, Pasco, Pinellas, Polk, Seminole, Sumter and Volusia Counties, FL; points in IL; Benton, Cedar, Clinton, Davis, Des Moines, Dubuque, Henry, Iowa, Jackson, Jefferson, Johnson, Jones, Keokuk, Lee, Linn, Louisa, Muscatine, Scott, Van Buren, Wapello and Washington Counties, IA; points in MI; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, Desoto, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Tunila, Union, Webster and Yalobusha Counties, MS; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, MIssissippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard, Wayne, Adair, Audrain, Clarke, Knox, Lewis, Linn, Macon, Marion, Monroe, Pike, Putnam, Ralls, Randolph, Schuyler, Scotland, Shelby and Sullivan Counties, MO; Columbia, Dane, Dodge, Green, Jefferson, Kenosha, Milwaukee, Ozaukee, Racine, Rock, Walworth, Washington, Waukesha, Door, Florence, Forest, Kewaunee, Langlade, Lincoln, Marinette, Menominee, Oconto, Oneida, Buffalo, Crawford, Grant, Iowa, Jackson, Juneau, LaCrosse, Lafayette, Monroe, Richland, Saulk, Trempealeau, Vernon, Adams, Brown, Calumet, Clark, Fond Du Lac, Green Lake, Manitowoc, Marathon, Marquette, Outagamie, Portage, Shawano, Sheboygan, Waupaca, Waushara, Winnebago and Wood Counties, WI. (5) From points in Catron, Dona Ana, Grant, Hidalgo, Luna, Otero, Sierra and Socorro Counties, NM, to points in Autauga, Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Coosa, Cullman, Elmore, Etowah, Jefferson, Lee, Randolph, St. Clair, Shelby, Talladega, Tallapoosa, Barbour, Bullock, Coffee, Covington, Crenshaw, Dale, Geneva, Henry, Houston, Macon, Montgomery, Pike, Russell, Colbert, Fayette, Franklin, Lamar, Lauderdale, Lawrence, Marion, Pickens, Tuscaloosa, Walker, Winston, De Kalb, Jackson, Limestone, Madison, Marshall and Morgan Counties, AL; Charlotte, De Soto, Glades, Hardee, Hendry, Highlands, Lee, Manatee, Okeechobee, Sarasota, Alachua, Baker, Bradford, Clay, Duval, Flagler, Levy, Marion, Nassau, Putnam, Saint Johns, Union, Broward, Collier, Dade, Martin, Monroe, Palm Beach, Saint Lucie, Brevard, Citrus, Hernando, Hillsborough, Indian River, Lake, Orange, Osceola, Pasco, Pinellas, Polk, Seminole, Sumter, Volusia, Columbia, Dixie, Franklin, Gadsen, Gilchrist, Hamilton, Jefferson, Lafayette, Leon, Liberty, Madison, Suwannee, Taylor and

Wakulla Counties, FL; points in IL; points in IN; points in MI; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, Desoto, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Tunila, Union, Webster, and Yalobusha Counties, MS; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; Columbia, Dane, Dodge, Green, Jefferson, Kenosha, Milwaukee, Ozaukee, Racine, Rock, Walworth, Washington, Waukesha, Door, Florence, Forest, Kewaunee, Langlade, Lincoln, Marinette, Menominee, Oconto, Oneida, Adams, Brown, Calumet, Clark, Fond Du Lac, Green Lake, Manitowoc, Marathon, Marquette, Outagamie, Portage, Shawano, Sheboygan, Waupaca, Waushara, Winnebago and Wood Counties, WI. (6) From points in Colfax, Harding, Mora, Taos and Union Counties, NM, to points in AL; points in FL; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson Counties, IL; Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo, Warrick, Adams, Allen, Blackford, DeKalb, Delaware, Elkhart, Grant, Huntington, Jay, Kosciusko, Lagrange, Noble, Randolph, Steuben, Wabash, Wells, Whitley, Boone, Clinton, Hamilton, Hancock, Hendricks, Johnson, Madison, Marion, Morgan, Shelby and Tipton Counties, IN; Bay, Clinton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Jackson, Lapeer, Lenawee, Livingston, Macomb, Midland, Monroe, Oakland, Saginaw, Saint Clair, Sanilac, Shiawassee, Tuscola, Washtenaw, Wayne, Alcona, Alpena, Antrim, Arenac, Benzie, Charlevoix, Cheboygan, Clare, Crawford, Emmet, Gladwin, Grand Traurse, Iosco, Isabella, Kalkaska, Lake, Leelanau, Manistee, Mason, Mecosta, Missaukee, Montmorency, Newaygo, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Presque Isle, Roscommon and Wexford Counties, MI; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Covington, Forrest, George, Greene, Hancock, Harrison, Jackson, Jones, Lamar, Pearl River, Perry Stone, Wayne, Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, Desoto, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Tunila, Union, Webster and Yalobusha Counties, MS; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO. (Gateway eliminated: Greene County, AR.)

MC 107012 (Sub-E820), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *Commercial and Institutional Fixtures and Store and Office Equipment, Uncrated,* (1) From points in NY, to points in AZ, AR, CA, NM, OK, and TX. (2) From points in Broome, Cayuga, Chemung, Chenango, Courtland, Delaware, Madison, Onondaga, Ontario, Otsego, Schoharie, Schuyler, Seneca, Tioga, Tompkins, Wayne and Yates Counties, NY, to points in Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley and Washington Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson and Woodson Counties, KS; points in LA; points in MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; points in NV; points in OR; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; Beaver, Iron, Washington, Carbon, Daggett, Duchesme, Emery, Grand, San Juan, Uimtah, Garfield, Juab, Kane, Millard, Piute, Sanpete, Sevier and Wayne Counties, UT; Clark, Cowlitz, Klickitat, Lewis, Pacific, Pierce, Skamania, Thuston, Wahkiakum and Yakima Counties, WA. (3) From points in Allegany, Cattaraugus, Chatauqua, Erie, Genesse, Livingston, Monroe, Niagara, Orleans, Steuben and Wyoming Counties, NY, to points in Alamosa, Archuleta, Conejos, Delta, Delores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson and Woodson Counties, KS; points in LA; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Covington, Forrest, George, Greene, Hancock, Harrison, Jackson, Jones, Lamar, Pearl River, Perry, Stone, Wayne, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith, Winston, Adams, Amite, Franklin, Jefferson, Jefferson Davis, Lawrence, Lincoln, Marion, Pike, Walthall and Wilkinson Counties, MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; Clark, Lincoln, Esmeralda, Eureka, Lander, Nye, Churchill, Douglas, Humboldt, Lyon, Mineral, Ormsby, Pershing, Storey and Washoe Counties, NV; Benton, Clackamas, Clatsop, Columbia, Lane, Lincoln, Linn, Marion, Multnomah, Polk, Tillamook, Washington, Yamhill, Crook, DeSchutes, Gilliam, Hood River, Jefferson, Sherman, Wasco, Wheeler, Harney, Klamath, Lake, Malheur, Coos, Curry, Douglas, Jackson and Josephine Counties, OR; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; Beaver, Iron, Washington, Carbon, Daggett, Duchesme, Emery, Grand, San Juan, Uimtah, Garfield, Juab, Kane, Millard, Piute, Sanpete, Sevier and Wayne

Counties, UT; Clark, Cowlitz, Klickitat, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum and Yakima Counties, WA. (4) From points in Albany, Bronx, Columbia, Dutchess, Greene, Kings, Nassau, New York, Orange, Putnam, Queens, Rensselar, Richmond, Rockland, Sullivan, Ulster and Westchester Counties, NY, to points in Garfield, Mesa, Moffat, Rio Blanco, Routt, Adams, Arapahoe, Boulder, Cedar Creek, Chaffee, Denver, Douglas, Eagle, Elbert, El Paso, Fremont, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Park, Pitkin, Summit, Teller, Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley, Washington, Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Cassia, Clark, Franklin, Fremont, Jefferson, Jerome, Lincoln, Madison, Minidoka, Oneida and Power Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Meosho, Wilson and Woodson Counties, KS; Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Rapids, Saint Landry, Vernon, Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Reo River, Sabine and Webster Parishes, LA; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Soctt, Simpson, Smith and Winston Counties, MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; points in NV; points in OR; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; points in UT; points in WA; Lincoln, Sublette, Sweetwater and Uinta Counties, WY. (5) From points in Herkimer, Jefferson, Lewis, Oneida, Oswego and St. Lawrence Counties, NY, to points in Baldwin, Butler, Choctaw, Clarke, Conecuh, Dallas, Escambia, Greene, Hale, Lawndes, Marengo, Mobile, Monroe, Perry, Sumter, Washington and Wilcox Counties, AL; Garfield, Mesa, Moffat, Rio Blanco, Routt, Adams, Arapahoe, Boulder, Cedar Creek, Chaffee, Denver, Douglas, Eagle, Elbert, El Paso, Fremont, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Park, Pitkin, Summit, Teller, Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Limhi, Owyhee, Payette, Twin Falls, Valley and Washington Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson and Woodson Counties, KS; points in LA; points in MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; points in NV; points in OR; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; Beaver, Iron, Washington, Carbon, Daggett, Duchesme, Emery, Grand, San Juan, Uimtah, Garfield, Juab, Kane, Millard, Piute, Sanpete, Sevier and Wayne Counties, UT; Clark, Cowlitz, Klickitat, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum and Yakima Counties, WA. (6) From points in Clinton, Essex, Franklin, Fulton, Hamilton, Montgomery, Saratoga, Schenectady, Warren and Washington Counties, NY; to points in Baldwin, Butler, Choctaw, Clarke, Conecuh, Dallas, Escambia, Greene, Hale, Lawndes, Marengo, Mobile, Monroe, Perry, Sumter, Washington and Wilcox Counties, AL; Garfield, Mesa, Moffat, Rio Blanco, Routt, Adams, Arapahoe, Boulder, Cedar, Creek, Chaffee, Denver, Douglas, Eagle, Elbert, El Paso, Fremont, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Park, Pitkin, Summit, Teller, Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Limhi, Owyhee, Payette, Twin Falls, Valley, Washington, Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Cassia, Clark, Franklin, Fremont, Jefferson, Jerome, Lincoln, Madison, Minidoka, Oneida and Power Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson, Bourbon, Butler, Chautaugua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson and Woodson Counties, KS; points in LA; points in MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; points in NV; points in OR; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; points in UT; Clark, Cowlitz, Klickitat, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum, Yakima, Clallam, Grays Harbor, Jefferson, Kitsap, Mason and San Juan Counties, WA. (7) From points in Suffolk County, NY, to points in CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley, Washington, Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Cassia, Clark, Franklin, Fremont, Jefferson, Jerome, Lincoln,

Madison, Minidoka, Oneida and Power Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson and Woodson Counties, KS; Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Rapids, Saint Landry, Vernon, Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Reo River, Sabine and Webster Parishes, LA; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallachatchie, Warren, Washington, Yazoo, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith, Winston, Adams, Amite, Franklin, Jefferson, Jefferson Davis, Lawrence, Lincoln, Marion, Pike, Walthall and Wilkinson Counties, MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; points in NV; points in OR; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; points in UT; points in WA; Lincoln, Sublette, Sweetwater and Uinta Counties, WY. (Gateway elimiated: Greene County, AR.)

MC 107012 (Sub-E821), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *Commercial and Institutional Fixtures and Store and Office Equipment, Crated,* (1) From points in NY, to points in AZ, AR, CA, NM, OK, and TX. (2) From points in Broome, Cayuga, Chemung, Chenango, Courtland, Delaware, Madison, Onondaga, Ontario, Otsego, Schoharie, Schuyler, Seneca, Tioga, Tompkins, Wayne and Yates Counties, NY, to points in Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley and Washington Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson and Woodson Counties, KS; points in LA; points in MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney; Texas, Vernon and Webster Counties, MO; points in NV; points in OR; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; Beaver, Iron, Washington, Carbon, Daggett, Duchesme, Emery, Grand, San Juan, Uimtah, Garfield, Juab, Kane, Millard, Piute, Sanpete, Sevier and Wayne Counties, UT; Clark, Cowlitz, Klickitat, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum and Yakima Counties, WA. Campbell, Corson, Dewey, Edmunda, Faulk, Harding, McPherson, Perkins, Potter, Walworth, Brule, Buffalo, Hand, Hughes, Hyde, Jones, Lyman, Mellette, Stanley, Sully, Todd and Tripp Counties, SD; points in TX; points in UT; points in WA; points in WY. (3) From points in Adair, Audrain, Clarke, Knox, Lewis, Linn, Macon, Marion, Monroe, Pike, Putnam, Ralls, Randolph, Schuyler, Scotland, Shelby and Sullivan Counties, MO, to points in Autauga, Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Coosa, Cullman, Elmore, Etowah, Jefferson, Lee, Randolph, St. Clair, Shelby, Talladega, Tallapoosa, Barbour, Bullock, Coffee, Covington, Crenshaw, Dale, Geneva, Henry, Houston, Macon, Montgomery, Pike, Russell, Baldwin, Butler, Choctaw, Clarke, Conecuh, Dallas, Escambia, Greene, Hale, Lawndes, Marengo, Mobile, Monroe, Perry, Sumter, Washington and Wilcox Counties, AL; Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Kern, Los Angeles, Orange, San Luis Obispo, Santa Barbara, Ventura, Imperial, Riverside and San Diego Counties, CA; Atkinson, Baker, Ben Hill, Berrien, Bibb, Bleckley, Brooks, Calhoun, Chattahoochee, Clay, Clinch, Coffee, Colquitt, Cook, Crawford, Crisp, Decatur, Dodge, Dooly, Doughtery, Early, Echols, Grady, Harris, Houston, Irwin, Jones, Lamar, Lanier, Lee, Lowndes, Macon, Marion, Meriwether, Miller, Mitchell, Monroe, Muscogee, Peach, Pike, Pulaski, Quitman, Randolph, Schley, Seminole, Stewart, Sumter, Talbot, Taylor, Telfair, Terrell, Thomas, Tift, Troup, Turner, Twiggs, Upson, Webster, Wilcox, Worth, Banks, Barrow, Butts, Cherokee, Clarke, Clayton, Cobb, Coweta, Dawson, DeKalb, Elbert, Fannin, Fayette, Forsyth, Franklin, Fulton, Gilmer, Gwinnett, Habersham, Hall, Hart, Henry, Jackson, Jasper, Lumpkin, Madison, Morgan, Newton, Oconee, Pickens, Rabun, Rockdale, Spalding, Stephens, Towns, Union, Walton, White, Baldwin, Burke, Columbia, Emanuel, Glascock, Greene, Hancock, Jefferson, Jenkins, Johnson, Laurens, Lincoln, McDuffie, Oglethorpe, Putnam, Richmond, Taliaferro, Treutlen, Warren, Washington, Wilkes, Wilkinson, Appling, Bacon, Brantley, Camden, Charlton, Glynn, Jeff Davis, Long, McIntosh, Montgomery, Pierce, Tattnall, Toombs, Ware, Wayne, Wheeler, Bryan, Bullock, Candler, Chatham, Effingham, Evans, Liberty and Screven Counties, GA; points in LA; points in MS; Chaves, Curry, DeBaca, Eddy, Lea, Lincoln, Quay and Roosevelt Counties, NM; Bladen, Brunswick, Carteret, Columbus, Craven, Cumberland, Duplin, Greene, Harnett, Hoke, Johnston, Jones, Lenoir, New Hanover, Onslow, Pender, Robeson, Sampson, Scotland and Wayne Counties, NC; Atoka, Bryan, Choctaw, Coal, Haskell, Latimer, LeFlore, McCurtain, Pittsburg and Pushmataha Counties, OK; Allendale, Bamberg, Barnwell, Beaufort, Berkely, Charleston, Colleton, Dorechester, Hampton, Jasper, Orangeburg, Aiken, Calhoun, Chesterfield, Darlington, Fairfield, Keeshaw, Lancaster, Lee, Lexington, Marlboro, Richland, Sumter, Clarendon, Dillon, Florence, Georgetown, Horry, Marion and Williamsburg Counties, SC; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion,

Shelby and Tipton Counties, TN; Andrews, Archer, Baylor, Blanco, Borden, Bosque, Brown, Burnet, Callahan, Clay, Coke, Coleman, Comanche, Concho, Cooke, Coryell, Crane, Crockett, Crosby, Dawson, Denton, Dickens, Eastland, Ector, Edwards, Erath, Fisher, Gaines, Garza, Gillespie, Glasscock, Hamilton, Haskell, Hill, Hood, Howard, Irion, Jack, Johnson, Jones, Kendall, Kent, Kerr, Kimble, King, Knox, Lampasas, Llamo, Lubbock, Lynn McCulloch, McLennan, Martin, Mason, Menard, Midland, Mills, Mitchell, Montague, Nolan, Palo Pinto, Parker, Reagan, Runnels, San Saba, Schleicher, Scurry, Shackelford, Somervell, Stephens, Sterling, Stonewall, Sutton, Tarrant, Taylor, Terry, Throckmorton, Tom Green, Upton, Val Verde, Wise, Yoakum, Young, Aransas, Atascosa, Bandera, Bee, Bexar, Brooks, Cameron, Dimmit, Duval, Frio, Goliad, Hidalgo, Jim Hogg, Jim Wells, Kaines, Kenedy, Kinney, Kleberg, LaSalle, Live Oak, McMullen, Maverick, Medina, Nueces, Real, Refugio, San Patricio, Starr, Uvalde, Webb, Willacy, Wilson, Zapata, Zavala, Austin, Bastrop, Bell, Brazoria, Brazos, Burleson, Caldwell, Calhoun, Chambers, Colorado, Comal, DeWitt, Falls, Fayette, Fort Bend, Galveston, Gonzales, Grimes, Guadalupe, Hardin, Harris, Hays, Houston, Jackson, Jasper, Jefferson, Lavaca, Lee, Leon, Liberty, Limestone, Madison, Matagorda, Milam, Montgomery, Newton, Orange, Polk, Robertson, San Jacinto, Travis, Trinity, Tyler, Victoria, Walker, Waller, Washington, Wharton, Williamson, Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX.

(4) From points in Boone, Callaway, Cole, Crawford, Dent, Franklin, Gasconade, Jefferson, Lincoln, Maries, Miller, Moniteau, Montgomery, Osage, Phelps, Pulaski, Saint Charles, Saint Louis, St. Louis City, Warren and Washington Counties, MO, to points in AL; Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Glenn, Humboldt, Lake, Mendicino, Tehama, Trinity, Kern, Los Angeles, Orange, San Luis Obispo, Santa Barbara, Ventura, Imperial, Riverside, San Diego, Alameda, Alpine, Amador, Calaveras, Colusa, Contra Costa, Eldorado, Madera, Marin, Mariposa, Merced, Mono, Monterey, Napa, Placer, San Benito, Sacramento, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Sutter, Tuolumne and Yolo Counties; CA; points in GA; points in LA; Aroostook, Penobscot, Piscataquis, Somerset, Hancock, Knox, Waldo and Washington Counties, ME; points in MS; points in NC; points in SC; Anderson, Blount, Campbell, Carter, Claiborne, Cocke, Grainger, Greene, Hamblen, Hancock, Hawkins, Jefferson, Johnson, Knox, Scott, Sevier, Sullivan, Unicoi, Union, Washington, Bedford, Bledsoe, Bradley, Coffee, Cumberland, Fentress, Franklin, Grundy, Hamilton, Lincoln, Loudon, McMinn, Marion, Marshall, Meigs, Monroe, Moore, Morgan, Polk, Rhea, Roane, Sequatchie, Van Buren, Warren, White, Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN; Aransas, Atascosa, Bandera, Bee, Bexar, Brooks, Cameron, Dimmit, Duval, Frio, Goliad, Hidalgo, Jim Hogg, Jim Wells, Kaines, Kenedy, Kinney, Kleberg, LaSalle, Live Oak, McMullen, Maverick, Medina, Nueces, Real, Refugio, San Patricio, Starr, Uvalde, Webb, Willacy, Wilson, Zapata, Zavala, Austin, Bastrop, Bell, Brazoria, Brazos, Burleson, Caldwell, Calhoun, Chambers, Colorado, Comal, DeWitt, Falls, Fayette, Fort Bend, Galveston, Gonzales, Grimes, Guadalupe, Hardin, Harris, Hays, Houston, Jackson, Jasper, Jefferson, Lavaca, Lee, Leon, Liberty, Limstone, Madison, Matagorda, Milam, Montgomery, Newton, Orange, Polk, Robertson, San Jacinto, Travis, Trinity, Tyler, Victoria, Walker, Waller, Washington, Wharton, Williamson, Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX; Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Lee, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise and Wythe Counties, and the Independent Cities of: Bedford, Bristol, Buena Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, So. Boston and Staunton; Accomack, Gloucester, Greensville, Isle of Wight, Lancaster, Mathews, Middlesex, Nansemond, Northampton, Northumberland, Richmond, Southampton, Surry, Sussex and York Counties, and the Independent Cities of: Chesapeake, Emporia, Franklin, Hampton, Newport News, Norfolk Portsmouth, Suffolk, Virginia Beach and Williamsburg; Albemarle, Amelia, Brunswick, Buckingham, Charles City, Chesterfield, Cumberland, Dinwiddie, Fluvanna, Goochland, Hanover, Henrico, James City, King and Queen, King William, Louisa, Lunenburg, Mecklenburg, New Kent, Nottoway, Powhatan, Prince Edward and Prince George Counties, and the Independent Cities of: Charlottsville, Colonial Heights, Hopewell, Petersburg, Richmond and Waynesboro, VA. (5) From points in Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO, to points in AL; points in CT; points in DC; points in DE; points in GA; points in KY; Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Saint Bernard, Saint Charles, Saint Helena, Saint James, Saint John the Baptist, Saint Martin, Saint Mary, Saint Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge and West Feliciana Parishes, LA; points in ME; points in MD; points in MA; Chippewa, Luce and Mackinac Counties, MI; points in MS; points in NH; points in NJ; points in NY; points in NC; Athens, Belmont, Gallia, Guernsey, Hocking, Jackson, Lawrence, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pike, Ross, Scioto, Vinton and Washington Counties, OH; points in PA; points in RI; points in SC; points in TN; points in VT; points in VA; Greenbrier, McDowell, Mercer, Monroe, Pocahontas, Raleigh, Summers, Wyoming, Braxton, Clay, Fayette, Kanawha, Nicholas, Webster, Barbour, Berkeley, Doddridge, Grant, Hampshire, Hardy, Harrison, Jefferson, Lewis, Marion, Mineral, Monongalia, Morgan, Pendleton, Preston, Randolph, Taylor, Tucker, Tyler, Upshur, Wetzel, Calhoun, Gilmer, Jackson, Mason, Pleasants, Ritchie, Roane, Wirt, Wood, Boone, Cabell, Lincoln, Logan, Mingo,

Putnam and Wayne Counties, WV. (6) From points in Andrew, Atchison, Bates, Benton, Buchanan, Caldwell, Carroll, Cass, Chariton, Clay, Clinton, Cooper, Daviess, DeKalb, Gentry, Grundy, Harrison, Henry, Holt, Howard, Jackson, Johnson, Lafayette, Livingston, Mercer, Morgan, Nodaway, Pettis, Platte, Ray, Saint Claire, Saline and Worth Counties, MO, to points in AL; Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita and Union Counties, AR; points in GA; Bell, Breathitt, Clay, Estill, Floyd, Harlan, Jackson, Knott, Knox, Laurel, Lee, Leslie, Letcher, McCreary, Owsley, Perry, Pike and Whitley Counties, KY; Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Rapids, Saint Landry, Vernon, Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Saint Bernard, Saint Charles, Saint Helena, Saint James, Saint John the Baptist, Saint Martin, Saint Mary, Saint Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge and West Feliciana Parishes, LA; points in MS; points in NC; points in SC; points in TN; Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Lee, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise and Wythe Counties, and the Independent Cities of: Bedford, Bristol, Buena Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, So. Boston and Staunton; Accomack, Gloucester, Greensville, Isle of Wight, Lancaster, Mathews, Middlesex, Nansemond, Northampton, Northumberland, Richmond, Southampton, Surry, Sussex and York Counties.

MC 107012 (Sub-E822), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *Commercial and Institutional Fixtures and Store and Office Equipment, Crated,* (1) From points in MO, to points in FL. (2) From points in Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO, to points in Baldwin, Butler, Choctaw, Clarke, Conecuh, Dallas, Escambia, Greene, Hale, Lawndes, Marengo, Mobile, Monroe, Perry, Sumter, Washington and Wilcox Counties, AL; points in AZ; points in AR; points in CA; points in CO; points in ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace and Wichita Counties, KS; points in LA; Aroostook, Penobscot, Piscataquis, Somerset, Hancock, Knox, Waldo and Washington Counties, ME; Covington, Forrest, George, Greene, Hancok, Harrison, Jackson, Jones, Lamar, Pearl River, Perry, Stone, Wayne, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith, Winston, Adams, Amite, Franklin, Jefferson, Jefferson Davis, Lawrence, Lincoln, Marion, Pike, Walthall and Wilkinson Counties, MS; points in MT; points in NV; points in NM; Adams, Billings, Bowman, Burleigh, Dunn, Emmons, Golden Valley, Grant, Hettinger, Mercer, Morton, Oliver, Sioux, Slope, Stark, Bottineau, Burke, McHenry, McLean, Mountrail, Renville, Ward, Divide, McKenzie and Williams Counties, ND; points in OK; points in OR; Bennett, Butte, Custer, Fall River, Haakon, Jackson, Lawrence, Meade, Pennington, Shannon, Washabaugh, Ziebach, Yazoo, Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, De Sota, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Tunila, Union, Webster and Yalobusha Counties, MS; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; Columbia, Dane, Dodge, Green, Jefferson, Kenosha, Milwaukee, Ozaukee, Racine, Rock, Walworth, Washington and Waukesha Counties, WI. (3) From points in McKinley, Rio Arriba and San Juan Counties, NM, to points in AL; Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; points in FL; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White, Williamson, Champaign, Clark, Coles, Crawford, Cumberland, DeWitt, Douglas, Edgar, Ford, Grundy, Iroquois, Jasper, Kankakee, Lawrence, Livingston, Macon, McLean, Moultrie, Piatt, Richland, Vermilion and Wabash Counties, IL; Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo, Warrick, Adams, Allen, Blackford, De Kalb, Delaware, Elkhart, Grant, Huntington, Jay, Kosciusko, Lagrange, Noble, Randolph, Steuben, Wabash, Wells, Whitley, Boone, Clinton, Hamilton, Hancock, Hendricks, Johnson, Madison, Marion, Morgan, Shelby and Tipton Counties, IN; Bay, Clinton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Jackson, Lapeer, Lenawee, Livingston, Macomb, Midland, Monroe, Oakland, Saginaw, Saint Clair, Sanilac, Shiawassee, Tuscola, Washtenaw, Wayne, Alcona, Alpena, Antrim, Arenac, Benzie, Charlevoix, Cheboygan, Clare, Crawford, Emmet, Gladwin, Grand Traurse, Iosco, Isabella, Kalkaska, Lake, Leelanau, Manistee, Mason, Mecosta, Missaukee, Montmorency, Newaygo, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Presque Isle, Roscommon, Wexford, Allegan, Barry, Berrien, Branch, Calhoun, Cass, Eaton, Ionia, Kalamazoo, Kent, Montcalm, Muskegon, Ottawa, Saint Joseph and Van Buren Counties, MI; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Covington, Forrest, George, Greene, Hancok, Harrison, Jackson, Jones, Lamar, Pearl River, Perry, Stone, Wayne, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madision, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith, Winston, Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, De Soto, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Tunila, Union, Webster and Yalobusha Counties, MS; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madision, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO. (4) From

points in Chaves, Curry, DeBaca, Eddy, Lea, Lincoln, Quay and Roosevelt Counties, NM, to points in Autauga, Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Coosa, Cullman, Elmore, Etowah, Jefferson, Lee, Randolph, St. Clair, Shelby, Talladega, Tallapoosa, Colbert, Fayette, Franklin, Lamar, Lauderdale, Lawrence, Marion, Pickens, Tuscaloosa, Walker, Winston, De Kalb, Jackson, Limestone, Madison, Marshall and Morgan Counties, AL; Charlotte, De Soto, Glades, Hardee, Hendry, Highlands, Lee, Manatee, Okeechobee, Sarasota, Alachua, Baker, Bradford, Clay, Duval, Flagler, Levy, Marion, Nassau, Putnam, Saint Johns, Union, Broward, Collier, Dade, Martin, Monroe, Palm Beach, Saint Lucie, Brevard, Citrus, Hernando, Hillsborough, Indian River, Lake Orange, Osceola, Pasco, Pinellas, Polk, Seminole, Sumter and Volusia Counties, FL; points in IL; Benton, Cedar, Clinton, Davis, Des Moines, Dubuque, Henry, Iowa, Jackson, Jefferson, Johnson, Jones, Keokuk, Lee, Linn, Louisa, Muscatine, Scott, Van Buren, Wapello and Washington Counties, IA; points in MI; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, De Sota, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Tunila, Union, Webster and Yalobusha Counties, MS; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard, Wayne, Adair, Audrain, Clarke, Knox, Lewis, Linn, Macon, Marion, Monroe, Pike, Putnam, Ralls, Randolph, Schuyler, Scotland, Shelby and Sullivan Counties, MO; Columbia, Dane, Dodge, Green, Jefferson, Kenosha, Milwaukee, Ozaukee, Racine, Rock, Walworth, Washington, Waukesha, Door, Florence Forest, Kewaunee, Langlade, Lincoln, Marinette, Menominee, Oconto, Oneida, Buffalo, Crawford Grant, Iowa, Jackson, Juneau, LaCrosse, Lafayette, Monroe, Richland, Saulk, Trempealeau, Vernon, Adams, Brown, Calumet, Clark, Fond Du Lac, Green Lake, Manitowoc, Marathon, Marquette, Outagamie, Portage, Shawano, Sheboygan, Waupaca, Waushara, Winnebago and Wood Counties, WI. (5) From points in Catron, Dona Ana, Grant, Hidalgo, Luna, Otero, Sierra and Socorro Counties, NM, to points in Autauga, Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Coosa, Cullman, Elmore, Etowah, Jefferson, Lee, Randolph, St. Clair, Shelby, Talladega, Tallapoosa, Barbour, Bullock, Coffe, Covington, Crenshaw, Dale, Geneva, Henry, Houston, Macon, Montgomery, Pike, Russell, Colbert, Fayette, Franklin, Lamar, Lauderdale, Lawrence, Marion, Pickens, Tuscaloosa, Walker, Winston, De Kalb, Jackson, Limestone, Madison, Marshall and Morgan Counties, AL; Charlotte, De Soto, Glades, Hardee, Hendry, Highlands, Lee, Manatee, Okeechobee, Sarasota, Alachua, Baker, Bradford, Clay, Duval, Flagler, Levy, Marion, Nassau, Putnam, Saint Johns, Union, Broward, Collier, Dade, Martin, Monroe, Palm Beach, Saint Lucie, Brevard, Citrus, Hernando, Hillsborough, Indian River, Lake, Orange, Osceola, Pasco, Pinellas, Polk, Seminole, Sumter, Volusia, Columbia, Dixie, Franklin, Gadsen, Gilchrist, Hamilton, Jefferson, Lafayette, Leon, Liberty, Madison, Suwannee, Taylor and Wakulla Counties, FL; points in IL; points in IN; points in MI; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay,De Sota, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Tunila, Union, Webster and Yalobusha Counties, MS; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO; Columbia, Dane, Dodge, Green, Jefferson, Kenosha, Milwaukee, Ozaukee, Racine, Rock, Walworth, Washington, Waukesha, Door, Florence, Forest, Kewaunee, Langlade, Lincoln, Marinette, Menominee, Oconto, Oneida, Adams, Brown, Calumet, Clark, Fond Du Lac, Green Lake, Manitowoc, Marathon, Marquette, Outagamie, Portage, Shawano, Sheboygan, Waupaca, Waushara, Winnebago and Wood Counties, WI. (6) From points in Colfax, Harding, Mora, Taos and Union Counties, NM, to points in AL; points in FL; Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, Wayne, White and Williamson Counties, IL; Crawford, Clay, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spender, Sullivan, Vanderburgh, Vermillion, Vigo, Warrick, Adams, Allen, Blackford, De Kalb, Delaware, Elkhart, Grant, Huntington, Jay, Kosciusko, Lagrange, Noble, Randolph, Steuben, Wabash, Wells, Whitley, Boone, Clinton, Hamilton, Hancock, Hendricks, Johnson, Madison, Marion, Morgan, Shelby and Tipton Counties, IN; Bay, Clinton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Jackson, Lapeer, Lenawee, Livingston, Macomb, Midland, Monroe, Oakland, Saginaw, Saint Clair, Sanilac, Shiawassee, Tuscola, Washtenaw, Wayne, Alcona, Alpena, Antrim, Arenac, Benzie, Charlevoix, Cheboygan, Clare, Crawford, Emmet, Gladwin, Grand Traurse, Iosco, Isabella, Kalkaska, Lake, Leelanau, Manistee, Mason, Mecosta, Missaukee Montmorency, Newaygo, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Presque Isle, Roscommon and Wexford Counties, MI; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Covington, Forrest, George, Greene, Hancok, Harrison, Jackson, Jones, Lamar, Pearl River, Perry, Stone, Wayne, Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, De Sota, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Tunila, Union, Webster and Yalobusha Counties, MS; Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippe, New Madrid, Oregon, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne Counties, MO. (Gateway eliminated; Greene County, AR.)

MC 107012 (Sub-E823), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *Commercial and Instititutional Fixtures and Store and Office Equipment, Uncrated,* (1) From points in PA to points in AZ, AR, CA, NM, OK, and TX. (2) From points in Cameron, Clarion, Crawford, Elk, Erie, Forest, Jefferson, McKean, Mercer, Potter, Venango and Warren Counties, PA, to points in Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Clark, Comanche, Edwards, Finney, Ford, Gant, Gray, Hamilton, Haskell,

Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Allen, Anderson, Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson and Woodson Counties, KS; points in LA; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington, Yazoo, Covington, Forrest, George, Greene, Hancok, Harrison, Jackson, Jones, Lamar, Pearl River, Perry, Stone, Wayne, Attala, Clairborne, Clarke, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith, Winston, Adams, Amite, Franklin, Jefferson, Jefferson Davis, Lawrence, Lincoln, Marion, Pike, Walthall and Wilkinson Counties, MS; Barry, Barton, Camden, Cedar, Christian, Dade, Dallas, Douglas, Greene, Hickory Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Ozark, Polk, Stone, Taney, Texas, Vernon and Webster Counties, MO; Clark, Lincoln, Esmeralda, Eureka, Lander, Nye, Churchill, Douglas, Humboldt, Lyon, Mineral, Ormsby, Pershing, Storey and Washoe Counties, NV; Benton, Clackamas, Clatsop, Columbia, Lane, Lincoln, Linn, Marion, Multomah, Polk, Tillamook, Washington, Yamhill, Crook, DeSchutes, Gilliam, Hood River, Jefferson, Sherman, Wasco, Wheeler, Coos, Curry, Douglas, and the Independent Cities of: Chesapeake, Emporia, Franklin, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach and Williamsburg; Albemarle, Amelia, Brunswick, Buckingham, Charles City, Chesterfield, Cumberland, Dinwiddie, Fluvanna, Goochland, Hanover, Henrico, James City, King and Queen, King William, Louisa, Lunenburg, Mecklenburg, New Kent, Nottoway, Powhatan, Prince Edward and Prince George Counties, and the Independent Cities of: Charlottesville, Colonial Heights, Hopewell, Petersburg, Richmond and Waynesboro, VA; Greenbrier, McDowell, Mercer, Monroe, Pocahontas, Raleigh, Summers and Wyoming Counties, WV. (Gateway eliminated: Greene County, AR.)

MC 107012 (Sub-E824), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New Commercial and Institutional Fixtures, Cartoned,* (1) From points in CO, to points in AL, FL, GA, MS, NC, SC, and TN. (2) From points in CO, to points in VA (*Greene Co., AR and Grand Rapids, MI & points in KY). (3) From points in Garfield, Mesa, Moffat, Rio Blanco, Routt, Adams, Arapahoe, Boulder, Cedar Creek, Chaffee, Denver, Douglas, Eagle, Elbert, El Paso, Fremont, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Park, Pitkin, Summit and Teller Counties, CO to points in Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; points in KY; Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Quachita, Richland, Tensas, Union, West Carroll, Winn, Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Saint Bernard, Saint Charles, Saint Helena, Saint James, Saint John The Baptist, Saint Martin, Saint Mary, Saint Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge and West Feliciana Parishes, LA. (4) From points in Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO, to points in Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; points in KY; Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Saint Bernard, Saint Charles, Saint Helena, Saint James, Saint John The Baptist, Saint Martin, Saint Mary, Saint Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge and West Feliciana Parishes, LA. (5) From points in Kit Carson, Logan, Morgan, Phillips, Sedgwick, Washington, Weld and Yuma Counties, CO, to points in Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, White, Monroe, Perry, Phillips, Prairie, Pulaski and Saline Counties, AR; Allen, Barren, Breckinridge, Bullitt, Butler, Christian, Edmonson, Grayson, Hardin, Hart, Henry, Jefferson, La Rue, Logan, Meade, Muhlenberg, Nelson, Ohio, Oldham, Sheleby, Simpson, Spencer, Todd, Trimble, Warren, Adair, Anderson, Boyle, Casey, Clinton, Cumberland, Fayette, Gerrard, Green, Jessamine, Lincoln, Madison, Marion, Mercer, Metcalfe, Monroe, Pulaski, Rockcastle, Russell, Taylor, Washington, Wayne, Woodford, Bell, Breathitt, Clay, Estill, Floyd, Harlan, Jackson, Knott, Knox, Laurel, Lee, Leslie, Letcher, McCreary, Owsley, Perry, Pike, Whitley, Ballard, Caldwell, Calloway, Carlisle, Crittenden, Daviess, Fulton, Graves, Hancock, Henderson, Hickman, Hopkins, Livingston, Lyon, Marshall, McCracken, McLean, Trigg, Union and Webster Counties, KY; Avoyelles, Catahoula, Concordia, Evangeline, Grant, La Salle, Rapids, Saint Landry, Vernon, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouahita, Richland, Tensas, Union, West Carroll, Winn, Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Saint Bernard, Saint Charles, Saint Helena, Saint James, Saint John The Baptist, Saint Martin, Saint Mary, Saint Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge and West Feliciana Parishes, LA. (Gateway eliminated: Greene County, AR, unless asteriked.)

MC 107012 (Sub-E825), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New Commerical and Institutional Fixtures, Cartoned.* From points in CT, to points in AL, FL and GA; and points in Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey, Alexander, Alleghany, Ashe, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Surry, Watauga, Wilkes and Yadkin Counties, NC; Aiken, Calhoun, Chesterfield, Darlington, Fairfield, Keeshaw, Lancaster, Lee, Lexington, Marlboro, Richland, Sumter, Abbeville, Anderson, Greenville, Ocombee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Lamens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (Gateway eliminated: points in TN.)

MC 107012 (Sub-E826), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New Commercial and Institutional Fixtures, Cartoned.* (1)

From points in DE, to points in AL. (2) From points in Kent County, DE to points in FL; Atkinson, Baker, Ben Hill, Berrien, Bibb, Bleckley, Brooks, Calhoun, Chattahoochee, Clay, Clinch, Coffee, Colquitt, Cook, Crawford, Crisp, Decatur, Dodge, Dooly, Dougherty, Early, Echols, Grady, Harris, Houston, Irwin, Jones, Lamar, Lanier, Lee, Lowndes, Macon, Marion, Meriwether, Miller, Mitchell, Monroe, Muscogee, Peach, Pike, Pulaski, Quitman, Randolph, Schley, Seminole, Stewart, Sumter, Talbot, Taylor, Telfair, Terrell, Thomas, Tift, Troup, Turner, Twiggs, Upson, Webster, Wilcox, Worth, Banks, Barrow, Butts, Cherokee, Clarke, Clayton, Cobb, Coweta, Dawson, De Kalb, Elbert, Fannin, Fayette, Forsyth, Franklin, Fulton, Gilmer, Gwinnett, Habersham, Hall, Hart, Henry, Jackson, Jasper, Lumpkin, Madison, Morgan, Newton, Oconee, Pickens, Rabun, Rockdale, Spalding, Stephens, Towns, Union, Walton, White, Baldwin, Burke, Columbia, Emanuel, Glascock, Greene, Hancock, Jefferson, Jenkins, Johnson, Laurens, Lincoln, McDuffie, Oglethorpe, Putnam, Richmond, Taliaferro, Treutlen, Warren, Washington, Wilkes, Wilkinson, Bartow, Chattooga, Carroll, Catoosa, Dade, Douglas, Floyd, Gordon, Haralson, Heard, Murray, Paulding, Polk, Walker and Whitfield Counties, GA; Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania and Yancey Counties, NC; Abbeville, Anderson, Greenville, Ocomee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Lamens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (3) From points in Sussex County, DE to points in Charlotte, De Soto, Glades, Hardee, Hendry, Highlands, Lee, Manatee, Okeechobee, Sarasota, Broward, Collier, Dade, Martin, Monroe, Palm Beach, Saint Lucie, Brevard, Citrus, Hernando, Hillsborough, Indian River, Lake, Orange, Osceola, Pasco, Pinellas, Polk, Seminole, Sumter, Volusia, Bay, Calhoun, Escambia, Gulf, Holmes, Jackson, Okaloosa, Santa Rosa, Walton, Washington, Columbia, Dixie, Franklin, Gadsen, Gilchrist, Hamilton, Jefferson, Lafayette, Leon, Liberty, Madison, Suwannee, Taylor and Wakulla Counties, FL; Atkinson, Baker, Ben Hill, Berrien, Bibb, Bleckley, Brooks, Calhoun, Chattahoochee, Clay, Clinch, Coffee, Colquitt, Cook, Crawford, Crisp, Decatur, Dodge, Dooly, Dougherty, Early, Echols, Grady, Harris, Houston, Irwin, Jones, Lamar, Lanier, Lee, Lowndes, Macon, Marion, Meriwether, Miller, Mitchell, Monroe, Muscogee, Peach, Pike, Pulaski, Quitman, Randolph, Schley, Seminole, Stewart, Sumter, Talbot, Taylor, Telfair, Terrell, Thomas, Tift, Troup, Turner, Twiggs, Upson, Webster, Wilcox, Worth, Banks, Barrow, Butts, Cherokee, Clarke, Clayton, Cobb, Coweta, Dawson, DeKalb, Elbert, Fannin, Fayette, Forsyth, Franklin, Fulton, Gilmer, Gwinnett, Habersham, Hall, Hart, Henry, Jackson, Jasper, Lumpkin, Madison, Morgan, Newton, Oconee, Pickens, Rabun, Rockdale, Spalding, Stephens, Towns, Union, Walton, White, Bartow, Chattooga, Carroll, Catoosa, Dade, Douglas, Floyd, Gordon, Haralson, Heard, Murray, Paulding, Polk, Walker and Witfield Counties, GA; Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania and Yancey Counties, NC; Abbeville, Anderson, Greenville, Ocomee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Lamens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (4) From points in New Castle County, DE to points in FL; Atkinson, Baker, Ben Hill, Berrien, Bibb, Bleckley, Brooks, Calhoun, Chattahoochee, Clay, Clinch, Coffee, Colquitt, Cook, Crawford, Crisp, Decatur, Dodge, Dooly, Dougherty, Early, Echols, Grady, Harris, Houston, Irwin, Jones, Lamar, Lanier, Lee, Lowndes, Macon, Marion, Meriwether, Miller, Mitchell, Monroe, Muscogee, Peach, Pike, Pulaski, Quitman, Randolph, Schley, Seminole, Stewart, Sumter, Talbot, Taylor, Telfair, Terrell, Thomas, Tift, Troup, Turner, Twiggs, Upson, Webster, Wilcox, Worth, Banks, Barrow, Butts, Cherokee, Clarke, Clayton, Cobb, Coweta, Dawson, De Kalb, Elbert, Fannin, Fayette, Forsyth, Franklin, Fulton, Gilmer, Gwinnett, Habersham, Hall, Hart, Henry, Jackson, Jasper, Lumpkin, Madison, Morgan, Newton, Oconee, Pickens, Rabun, Rockdale, Spalding, Stephens, Towns, Union, Walton, White, Baldwin, Burke, Columbia, Emanuel, Glascock, Greene, Hancock, Jefferson, Jenkins, Johnson, Laurens, Lincoln, McDuffie, Oglethorpe, Putnam, Richmond, Taliaferro, Treutlen, Warren, Washington, Wilkes, Wilkinson, Appling, Bacon, Brantley, Camden, Charlton, Glynn, Jeff Davis, Long, McIntosh, Montgomery, Pierce, Tattnall, Toombs, Ware, Wayne, Wheeler, Bartow, Chattooga, Carroll, Catoosa, Dade, Douglas, Floyd, Gordon, Haralson, Heard, Murray, Paulding, Polk, Walker and Whitfield Counties, GA; Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania and Yancey Counties, NC; Abbeville, Anderson, Greenville, Ocomee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Lamens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, DE. (Gateway eliminated: points in TN.)

MC 107012 (Sub-E827), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New Commercial and Institutional Fixtures, Cartoned.* From points in D.C., to points in AL and FL; points in Atkinson, Baker, Ben Hill, Berrien, Bibb, Bleckley, Brooks, Calhoun, Chattahoochee, Clay, Clinch, Coffee, Colquitt, Cook, Crawford, Crisp, Decatur, Dodge, Dooly, Dougherty, Early, Echols, Grady, Harris, Houston, Irwin, Jones, Lamar, Lanier, Lee Lowndes, Macon, Marion, Meriwether, Miller, Mitchell, Monroe, Muscogee, Peach, Pike, Pulaski, Quitman, Randolph, Schley, Seminole, Stewart, Sumter, Talbot, Taylor, Telfair, Terrell, Thomas, Tift, Troup, Turner, Twiggs, Upson, Webster, Wilcox, Worth, Banks, Barrow, Butts, Cherokee, Clarke, Clayton, Cobb, Coweta, Dawson, De Kalb, Elbert, Fannin, Fayette, Forsyth, Franklin, Fulton, Gilmer, Gwinnett, Habersham, Hall, Hart, Henry, Jackson, Jasper, Lumpkin, Madison, Morgan, Newton, Oconee, Pickens, Rabun, Rockdale, Spalding, Stephens, Towns, Union, Walton, White, Baldwin, Burke, Columbia, Emanuel, Glascock, Greene, Hancock, Jefferson, Jenkins, Johnson, Laurens, Lincoln, Mc Duffie, Oglethorpe, Putnam, Richmond, Taliaferro, Truetlen, Warren, Washington, Wilkes, Wilkinson, Appling, Bacon, Brantley, Camden, Charlton, Glynn, Jeff Davis, Long, Mc Intosh, Montgomery, Pierce, Tattnall, Tombs, Ware, Wayne, Wheeler, Bartow, Chattooga, Carroll, Catoosa, Dade, Douglas, Floyd, Gordon, Haralson, Heard, Murray, Paulding, Polk, Walker and Whitfield Counties, GA; Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Mc Dowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania and Yancey Counties, NC; Abbeville, Anderson, Greenville, Ocomee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Lamens, Mc Cormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (Gateway eliminated: points in TN.)

MC 107012 (Sub-E828), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist

(same as above). *New Commercial and Institutional Fixtures, Cartoned.* (1) From points in ID, to points in AL; to points in Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; points in FL, GA, KY, LA, MS, NC, SC and TN; Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX. (2) From points in ID, to points in VA (*Greene County, AR, and Grand Rapids, MI and points in KY). (Gateway eliminated: points in Greene County, AR, as asterisked.)

MC 107012 (Sub-E829), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New Commercial and Institutional Fixtures, Cartoned.* (1) From points in Maine, to points in AL, FL and GA. (2) From points in Aroostook, Penobscot, Piscataquis, Somerset, Hancock, Knox, Waldo and Washington Counties, ME to points in Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Mc Dowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey, Alexander, Alleghany, Ashe, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Surry, Watauga, Wilkes, Yadkin, Allamance, Anson, Cabarrus, Caswell, Chatham, Davidson, Davie, Durham, Forsyth, Franklin, Granville, Guilford, Lee, Montgomery, Moore, Orange, Person, Randolph, Richmond, Rockingham, Towan, Stanly, Stokes, Union, Vance, Wake and Warren Counties, NC; Allendale, Bamberg, Barnwell, Beaufort, Greenville, Berkeley, Charleston, Colleton, Dorchester, Hampton, Jasper, Ocomee, Pickens, Orangeburg, Aiken, Calhoun, Chesterfield, Darlington, Fairfield, Cherokee, Keeshaw, Lancaster, Lee, Lexington, Marlboro, Richland, Sumter, Chester, Abbeville, Anderson, Greenwood, Lamens, Mc Cormick, Newberry, Edgefield, Saluda, Spartanburg, Union and York Counties, SC; Greenbrier, Mc Dowell, Mercer, Monroe, Pocahontas, Raleigh, Summers, Braxton, Wyoming, Clay, Fayette, Kanawha, Nicholas and Webster Counties, WV. (3) From points in Androscoggin, Cumberland, Franklin, Kennebec, Lincoln, Oxford, Sagadahoc and York Counties, ME to points in Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Mc Dowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey, Alexander, Alleghany, Ashe, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Surry, Watauga, Wilkes and Yadkin Counties, NC; Aiken, Calhoun, Chesterfield, Darlington, Fairfield, Keeshaw, Lancaster, Lee, Lexington, Marlboro, Richland, Sumter, Abbeville, Anderson, Greenville, Ocomee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Lamens, Mc Cormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (Gateway eliminated: points in TN.)

MC 107012 (Sub-E830), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New Commercial and Institutional Fixtures, Cartoned—MD.* (1) From points in MD, to points in AL. (2) From points in Anne Arundel, Calvert, Caroline, Charles, Montgomery, Prince Georges, Queen Annes, St. Marys and Talbot Counties, MD to points in FL; Atkinson, Baker, Ben Hill, Berrien, Bibb, Bleckley, Brooks, Calhoun, Chattahoochee, Clay, Clinch, Coffee, Colquitt, Cook, Crawford, Crisp, Decatur, Dodge, Dooly, Dougherty, Early, Echols, Grady, Harris, Houston, Irwin, Jones, Lamar, Lanier, Lee, Lowndes, Macon, Marion, Meriwether, Miller, Mitchell, Monroe, Muscogee, Peach, Pike, Pulaski, Quitman, Randolph, Schley, Seminole, Stewart, Sumter, Talbot, Taylor, Telfair, Terrell, Thomas, Tift, Troup, Turner, Twiggs, Upson, Webster, Wilcox, Worth, Banks, Barrow, Butts, Cherokee, Clarke, Clayton, Cobb, Coweta, Dawson, De Kalb, Elbert, Fannin, Fayette, Forsyth, Franklin, Fulton, Gilmer, Gwinnett, Habersham, Hall, Hart, Henry, Jackson, Jasper, Lumpkin, Madison, Morgan, Newton, Oconee, Pickens, Rabun, Rockdale, Spalding, Stephens, Towns, Union, Walton, White, Baldwin, Burke, Columbia, Emanuel, Glascock, Greene, Hancock, Jefferson, Jenkins, Johnson, Laurens, Lincoln, McDuffie, Oglethorpe, Putnam, Richmond, Taliaferro, Treutlen, Warren, Washington, Wilkes, Wilkinson, Bartow, Chattooga, Carroll, Catoosa, Dade, Douglas, Floyd, Gordon, Haralson, Heard, Murray, Paulding, Polk, Walker and Whitfield Counties, GA; Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania and Yancey Counties, NC; Abbeville, Anderson, Greenville, Ocomee, Pickens, Cherokee, Chester Edgefield, Greenwood, Lamens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (3) From points in Baltimore, Baltimore City, Carroll, Cecil, Federick, Hartford, Howard and Kent Counties, MD to points in FL; Atkinson, Baker, Ben Hill, Berrien, Bibb, Bleckley, Brooks, Calhoun, Chattahoochee, Clay, Clinch, Coffee, Colquitt, Cook, Crawford, Crisp, Decatur, Dodge, Dooly, Dougherty, Early, Echols, Grady, Harris, Houston, Irwin, Jones, Lamar, Lanier, Lee, Lowndes, Macon, Marion, Meriwether, Miller, Mitchell, Monroe, Muscogee, Peach, Pike, Pulaski, Quitman, Randolph, Schley, Seminole, Stewart, Sumter, Talbot, Taylor, Telfair, Terrell, Thomas, Tift, Troup, Turner, Twiggs, Upson, Webster, Wilcox, Worth, Banks, Barrow, Butts, Cherokee, Clarke, Clayton, Cobb, Coweta, Dawson, De Kalb, Elbert, Fannin, Fayette, Forsyth, Franklin, Fulton, Gilmer, Gwinnett, Habersham, Hall, Hart, Henry, Jackson, Jasper, Lumpkin, Madison, Morgan, Newton, Oconee, Pickens, Rabun, Rockdale, Spalding, Stephens, Towns, Union, Walton, White Baldwin, Burke, Columbia, Emanuel, Glascock, Greene, Hancock, Jefferson, Jenkins, Johnson, Laurens, Lincoln, McDuffie, Oglethorpe, Putnam, Richmond, Taliaferro, Treutlen, Warren, Washington, Wilkes, Wilkinson, Appling, Bacon, Brantley, Camden, Charlton, Glynn, Jeff Davis, Long, McIntosh, Montgomery, Pierce, Tattnal, Toombs, Ware, Wayne, Wheeler, Bartow, Chattooga, Carroll, Catoosa, Dade, Douglas, Floyd, Gordon, Haralson, Heard, Murray, Paulding, Polk, Walker and Whitfield Counties, GA; Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania and Yancey Counties, NC; Abbeville, Anderson, Greenville, Ocomee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Lamens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (4) From points in Allegany, Garrett and Washington Counties, MD to points in FL and GA; Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania and Yancey Counties, NC; Abbeville, Anderson, Greenville, Ocomee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Lamens, McCormick,

Newberry, Saluda, Spartanburg, Union and York Counties, SC. (5) From points in Dorchester, Somerset, Wicomico and Worcester Counties, MD to points in Charlotte, De Soto, Glades, Hardee, Hendry, Highlands, Lee, Manatee, Okeechobee, Sarasota, Broward, Collier, Dade, Martin, Monroe, Palm Beach, Saint Lucie, Bay, Calhoun, Escambia, Gulf, Homes, Jackson, Okaloosa, Santa Rosa, Walton, Washington, Columbia, Dixia, Frankln Gadsen, Gilchrist, Hamilton, Jefferson, Lafayette, Leon, Liberty, Madison, Suwannee, Taylor and Wakulla Counties, FL; Atkinson, Baker, Ben Hill, Berrien, Bibb, Bleckley, Brooks, Calhoun, Chattahoochee, Clay, Clinch, Coffee, Colquitt, Cook, Crawford, Crisp, Decatur, Dodge, Dooly, Dougherty, Early, Echols, Grady, Harris, Houston, Irwin, Jones, Lamar, Lanier, Lee, Lowndes, Macon, Marion, Meriwether, Miller, Mitchell, Monroe, Muscogee, Peach, Pike, Pulaski, Quitman, Randolph, Schley, Seminole, Stewart, Sumter, Talbot, Taylor, Telfair, Terrell, Thomas, Tift, Troup, Turner, Twigs, Upson, Webster, Wilcox, Worth, Banks, Barrow, Butts, Cherokee, Clarke, Clayton, Cobb, Coweta, Dawson, De Kalb, Elbert, Fannin, Fayette, Forsyth, Franklin, Fulton, Gilmer, Gwinnett, Habersham, Hall, Hart, Henry, Jackson, Jasper, Lumpkin, Madison, Morgan, Newton, Oconee, Pickens, Rabun, Rockdale, Spalding, Stephens, Towns, Union, Walton, White, Bartow, Chattooga, Carroll, Catoosa, Dade, Douglas, Floyd, Gordon, Haralson, Heard, Murray, Paulding, Polk, Walker and Whitfield Counties, GA; Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania and Yancey Counties, NC; Abbeville, Anderson, Greenville, Ocomee and Pickens Counties, SC. (Gateway eliminated: points in TN.)

MC 107012 (Sub-E831), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New Commercial and Institutional Fixtures, Cartoned.* From points in MA, to points in AL, FL and GA; and points in Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey, Alexander, Alleghany, Ashe, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Surry, Watauga, Wilkes and Yadkin Counties, NC; Aiken, Calhoun, Chesterfield, Darlington, Fairfield, Kershaw, Lancaster, Lee, Lexington, Marlboro, Richland, Sumter, Abbeville, Anderson, Greenville, Ocomee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Lamens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (Gateway eliminated: points in TN.)

MC 107012 (Sub-E832), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New Commercial and Institutional Fixtures, Cartoned.* (1) From points in MT, to points in AL, FL, GA, LA, MS, NC, SC and TN. (2) From points in MT, to points in KY and VA (*Greene County, AR, and Grand Rapids, MI and points in KY). (3) From points in Beaverhead, Broadwater, Deer Lodge, Gallatin, Granite, Jefferson, Madison, Park, Ravalli, Silver Bow, Stillwater and Sweet Grass Counties, MT, to points in Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX. (4) From points in Daniels, Dawson, Garfield, McCone, Phillips, Richland, Roosevelt, Sheridan and Valley Counties, MT, to points in Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Austin, Bastrop, Bell, Brazoria, Brazos, Burleson, Caldwell, Calhoun, Chambers, Colorado, Comal, De Witt, Falls, Fayette, Fort Bend, Galveston, Gonzales, Grimes, Guadalupe, Hardin, Harris, Hays, Houston, Jackson, Jasper, Jefferson, Lavaca, Lee, Leon, Liberty, Limestone, Madison, Matagorda, Milam, Montgomery, Newton, Orange, Polk, Robertson, San Jacinto, Travis, Trinity, Tyler, Victoria, Walker, Waller, Washington, Wharton, Williamson, Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX. (5) From points in Blaine, Cascade, Chouteau, Fergus, Golden Valley, Hill, Judith Basin, Lewis and Clark, Liberty, Meagher, Petroleum, Pondera, Teton, Toole, Wheatland, Bighorn, Carbon, Carter, Custer, Fallon, Musselshell, Powder River, Prairie, Rosebud, Treasure, Wibaux and Yellowstone Counties, MT, to points in Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX. (6) From points in Flathead, Glacier, Lake, Lincoln, Mineral, Missoula, Powell and Sanders Counties, MT, to points in Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Austin, Bastrop, Bell, Brazoria, Brazos, Burleson, Caldwell, Calhoun, Chambers, Colorado, Comal, De Witt, Falls, Fayette, Fort Bend, Galveston, Gonzales, Grimes, Guadalupe, Hardin, Harris, Hays, Houston, Jackson, Jasper, Jefferson, Lavaca, Lee, Leon, Liberty, Limestone, Madison, Matagorda, Milam, Montgomery, Newton, Orange, Polk, Robertson, San Jacinto, Travis, Trinity, Tyler, Victoria, Walker, Waller, Washington, Wharton, Williamson, Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson,

Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX. (Gateway eliminated: Greene County, AR, as asterisked.)

MC 107012 (Sub-E833), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New commercial and Institutional fixtures, cartoned.* (1) From points in NH, to points in AL, FL and GA. (2) From points in Coos, Carroll and Grafton Counties, NH, to points in Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey, Alexander, Alleghany, Ashe, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Surry, Watauga, Wilkes and Yadkin Counties, NC; Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Hampton, Jasper, Orangeburg, Aiken, Calhoun, Chesterfield, Darlington, Fairfield, Kershaw, Lancaster, Lee, Lexington, Marlboro, Richland, Abbeville, Anderson, Greenville, Oconee, Sumpter, Pickens, Cherokee, Chester, Edgefield, Greenwood, Lamens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (3) From points in Cheshire, Hillsboro, Sullivan, Belknap, Merrimack, Rockingham and Strafford Counties, NH, to points in Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey, Alexander, Alleghany, Ashe, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Surry, Watauga, Wilkes and Yadkin Counties, NC; Aiken, Calhoun, Chesterfield, Darlington, Fairfield, Kershaw, Lancaster, Lee, Lexington, Marlboro, Richland, Sumter, Abbeville, Anderson, Greenville, Oconee, Pickens Cherokee, Chester, Edgefield, Greenwood, Lamens, McCormick, Newberry, Saluda, Spartanburg Union and York Counties, SC. (Gateway eliminated: points in TN.)

MC 107012 (Sub-E834), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New Commercial and Institutional Fixtures, Cartoned.* (1) From points in NJ, to points in AL amd FL. (2) From points in Atlantic, Burlington, Cape May, Monmouth, Ocean, Hunterdon, Mercer, Middlesex, Somerset and Union Counties, NJ, to points in GA; Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey, Alexander, Alleghany, Ashe, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Surry, Watauga, Wilkes and Yadkin Counties, NC; Abbeville, Anderson, Greenville, Oconee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Lamens McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (3) From points in Camden, Cumberland, Gloucester and Salem Counties, NJ, to points in Atkinson, Baker, Ben Hill, Berrien, Bibb, Bleckley, Brooks, Calhoun, Chattahoochee, Clay, Clinch, Coffee, Colquitt, Cook, Crawford, Crisp, Decatur, Dodge, Dooly, Dougherty, Early, Echols, Grady, Harris, Houston, Irwin, Jones, Lamar, Lanier, Lee, Lowndes, Macon, Marion, Meriwether, Miller, Mitchell, Monroe, Muscogee, Peach, Pike, Pulaski, Quitman, Randolph, Schley, Seminole, Stewart, Sumter, Talbot, Taylor, Telfair, Terrell, Thomas, Tift, Troup, Turner, Twiggs, Upson, Webster, Wilcox, Worth, Banks, Barrow, Butts, Cherokee, Clarke, Clayton, Cobb, Coweta, Dawson, De Kalb, Elbert, Fannin, Fayette, Forsyth, Franklin, Fulton, Gilmer, Gwinnett, Habersham, Hall, Hart, Henry, Jackson, Jasper, Lumpkin, Madison, Morgan, Newton, Oconee, Pickens, Rabun, Rockdale, Spalding, Stephens, Towns, Union, Walton, White, Baldwin, Burke, Columbia, Emanuel, Glascock, Greene, Hancock, Jefferson, Jenkins, Johnson, Laurens, Lincoln, McDuffie, Oglethorpe, Putnam, Richmond, Taliaferro, Treutlen, Warren, Washington, Wilkes, Wilkinson, Appling, Bacon, Brantley, Camden, Charlton, Glynn, Jeff Davis, Long, McIntosh, Montgomery, Pierce, Tattnall, Toombs, Ware, Wayne, Wheeler, Bartow, Chattooga, Carroll, Catoosa, Dade, Douglas, Floyd, Gordon, Haralson, Heard, Murray, Paulding, Polk, Walker and Whitfield Counties, GA; Buncombe, Cherokee, Clay Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania and Yancey Counties, NC; Abbeville, Anderson, Greenville, Oconee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Lamens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (4) From points in Morris, Sussex, Warren, Bergen, Essex, Hudson and Passaic Counties, NJ, to points in GA; Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey, Alexander, Alleghany, Ashe, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Surry, Watauga, Wilkes and Yadkin Counties, NC; Aiken, Calhoun, Chesterfield Darlington, Fairfield, Kershaw, Lancaster, Lee, Lexington, Marlboro, Richland, Sumter, Abbeville, Anderson, Greenville, Oconee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Lamens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (Gateway eliminated: points in TN.)

MC 107012 (Sub-E835), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New Commercial and Institutional Fixtures, Cartoned.* (1) From points in NY, to points in AL, FL and GA. (2) From points in Broome, Cayuga, Chemung, Chenango, Courtland, Delaware, Madison, Onondaga, Ontario, Otsego, Schoharie, Schuyler, Seneca, Tioga, Tompkins, Wayne, Yates, Allegany, Cattaraugus, Chatauqua, Erie, Genesee, Livingston, Monroe, Niagara, Orleans, Steuben, Wyoming, Herkimer, Jefferson, Lewis, Oneida, Oswego, St. Lawrence, Clinton, Essex, Franklin, Fulton, Hamilton, Montgomery, Saratoga, Schenectady, Warren and Washington Counties, NY, to points in Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey, Alexander, Alleghany, Ashe, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Surry, Watauga, Wilkes and Yadkin Counties, NC; Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Hampton, Jasper, Orangeburg, Aiken, Calhoun, Chesterfield, Darlington, Fairfield, Kershaw, Lancaster, Lee, Lexington, Marlboro, Richland, Sumter, Abbeville, Anderson, Greenville, Oconee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Laurens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (3) From points in Albany, Bronx, Columbia, Dutchess, Greene, Kings, Nassau, New York, Orange, Putnam, Queens, Rensselaer, Richmond, Rockland, Sullivan, Ulster, Westchester and Suffolk Counties, NY, to points in Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell,

Polk, Rutherford, Swain, Transylvania, Yancey, Alexander, Alleghany, Ashe, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Surry, Watauga, Wilkes and Yadkin Counties, NC; Aiken, Calhoun, Chesterfield, Darlington, Fairfield, Kershaw, Lancaster, Lee, Lexington, Marlboro, Richland, Sumter, Abbeville, Anderson, Greenville, Oconee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Laurens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (Gateway eliminated: points in TN.)

MC 107012 (Sub-E836), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New Commercial and Institutional Fixtures, Cartoned,* (1) From points in NC, to points in AZ, AR, CA, CO, ID, KS, MT, NV, NM, OK, OR, TX, UT, WA and WY. (*Greene County, AR). (2) From points in NC, to points in MN (*Grand Rapids, MI). (3) From points in Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania and Yancey Counties, NC, to points in Adair, Adams, Audubon, Cass, Fremont, Gutherie, Harrison, Mills, Montgomery, Page, Pottawattamie, Ringgold, Shelby, Taylor, Union, Buena Vista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickinson, Emmet, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux and Woodbury Counties, IA (*Greene County, AR); Bienville, Bossier, Caddo, Claiborne, De Soto, Natchitoches, Reo River, Sabine and Webster Parishes, LA (*Greene County, AR) Adams, Billings, Bowman, Burleigh, Dunn, Emmons, Golden Valley, Grant, Hettinger, Mercer, Morton, Oliver, Sioux, Slope, Stark, Benson, Cavalier, Pembina, Pierce, Ramsey, Rolette, Sheridan, Towner, Walsh, Wells, Bottineau, Burke, McHenry, McLean, Mountrail, Renville, Ward, Divide, McKenzie and Williams Counties, ND (*Greene County, AR); points in SD (*Greene County, AR). (4) From points in Beaufort, Bertie, Camden, Chowan, Currituck, Dare, Edgecombe, Gates, Halifax, Hertford, Hyde, Martin, Nash, Northampton, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, Washington and Wilson Counties, NC, to points in IA (*Grand Rapids, MI); Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, De Soto, Natchitoches, Reo River, Sabine and Webster Parishes, LA (*Greene County, AR); Bennett, Butte, Custer, Fall River, Haakon, Jackson, Lawrence, Meade, Pennington, Shannon, Washabaugh, Ziebach, Campbell, Corson, Dewey, Edmunda, Faulk, Harding, McPherson, Perkins, Potter, Walworth, Brule, Buffalo, Hand, Hughes, Hyde, Jones, Lyman, Mellette, Stanley, Sully, Todd, Tripp, Aurora, Bon Homme, Charles Mix, Clay, Davison, Douglas, Gregory, Hanson, Hutchinson, Jerauld, Lake, Lincoln, McCook, Miner, Minnehaha, Moody, Sanborn, Turner, Union and Yankton Counties, SD (*Greene County, AR); Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, McNairy, Madison, Obion, Shelby and Tipton Counties, TN (*Greene County, AR). (5) From points in Alexander, Alleghany, Ashe, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Surry, Watauga, Wilkes and Yadkin Counties, NC, to points in Allamakee, Black Hawk, Bremer, Buchanan, Butler, Cerro Gordo, Chickasaw, Clayton, Delaware, Fayette, Floyd, Franklin, Hancock, Howard, Mitchell, Winnebago, Winneshiek, Worth and Wright Counties, IA (*Grand Rapids, MI); Adair, Adams, Audubon, Cass, Fremont, Guthrie, Harrison, Mills, Montgomery, Page, Pottawattamie, Ringgold, Shelby, Taylor, Union, Buena Vista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickinson, Emmet, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux and Woodbury Counties, IA (*Greene County, AR); Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, De Soto, Natchitoches, Reo River, Sabine and Webster Parishes, LA (*Greene County, AR); Adams, Billings, Bowman, Burleigh, Dunn, Emmons, Golden Valley, Grant, Hettinger, Mercer, Morton, Oliver, Sioux, Slope, Stark, Bottineau, Burke, McHenry, McLean, Mountrail, Renville, Ward, Divide, McKenzie and Williams Counties, ND (*Greene County, AR); points in SD (*Greene County, AR). (6) From points in Bladen, Brunswick, Carteret, Columbus, Craven, Cumberland, Duplin, Greene, Harnett, Hoke, Johnston, Jones, Lenoir, New Hanover, Onslow, Pender, Robeson, Sampson, Scotland and Wayne Counties, NC, to points in Allamakee, Black Hawk, Bremer, Buchanan, Butler, Cerro Gordo, Chickasaw, Clayton, Delaware, Fayette, Floyd, Franklin, Hancock, Howard, Mitchell, Wright, Winnebago, Winneshiek and Worth Counties, IA (*Grand Rapids, MI); Appanoose, Boone, Clarke, Dallas, Decatur, Greene, Grundy, Hamilton, Hardin, Jasper, Lucas, Madison, Mahaska, Marion, Marshall, Monroe, Polk, Poweshiek, Story, Tama, Warren, Wayne, Webster, Adair, Adams, Audubon, Cass, Fremont, Guthrie, Harrison, Mills, Montgomery, Page, Pottawattamie, Ringgold, Shelby, Taylor, Union, Buena Vista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickinson, Emmett, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux and Woodbury Counties, IA (*Greene County, AR); Bienville, Bossier, Caddo, Claiborne, De Soto, Natchitoches, Reo River, Sabine and Webster Parishes, LA (*Greene County, AR); Adams, Billings, Bowman, Burleigh, Dunn, Emmons, Golden Valley, Grant, Hettinger, Mercer, Morton, Oliver, Sioux, Slope, Stark, Benson, Cavalier, Penbina, Pierce, Ramsey, Rolette, Sheridan, Towner, Walsh, Wells, Bottineau, Burke, McHenry, McLean, Mountrail, Renville, Ward, Divide, McKenzie and Williams Counties, ND (*Greene County, AR); points in SD (*Greene County, AR). (7) From points in Alamance, Anson, Cabarrus, Caswell, Chatham, Davidson, Davie, Durham, Forsyth, Franklin, Granville, Guilford, Lee, Montgomery, Moore, Orange, Person, Randolph, Richmond, Rockingham, Rowan, Stanly, Stokes, Union, Vance, Wake and Warren Counties, NC, to points in Allamakee, Black Hawk, Bremer, Buchanan, Butler, Cerro Gordo, Chickasaw, Clayton, Delaware, Fayette, Floyd, Franklin, Hancock, Howard, Mitchell, Winnebago, Winneshiek, Worth, Wright, Appanoose, Boone, Clarke, Dallas, Decatur, Greene, Grundy, Hamilton, Hardin, Jasper, Lucas, Madison, Mahaska, Marion, Marshall, Monroe, Polk, Poweshiek, Story, Tama, Warren, Wayne and Webster Counties, IA (*Grand Rapids, MI); Adair, Adams, Audubon, Cass, Fremont, Guthrie, Harrison, Mills, Montgomery, Page, Pottawattamie, Ringgold, Shelby, Taylor, Union, Buena Vista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickenson, Emmet, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux and Woodbury Counties, IA (*Greene County, AR); Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Reo River, Sabine and Webster Parishes, LA (*Greene County, AR); Adams, Billings, Bowman, Burleigh, Dunn, Emmons, Golden Valley, Grant, Hettinger, Mercer, Morton,

Oliver, Sioux, Slope, Stark, Divide, McKenzie and Williams Counties, ND (*Greene County, AR); Bennett, Butte, Custer, Fall River, Haakon, Jackson, Lawrence, Meade, Pennington, Shannon, Washabaugh, Ziebach, Campbell, Corson, Dewey, Edmunda, Faulk, Harding, McPherson, Perkins, Potter, Walworth, Brule, Buffalo, Hand, Hughes, Hyde, Jones, Lyman, Mellette, Stanley, Sully, Todd, Tripp, Aurora, Bon Homme, Charles Mix, Clay, Davison, Douglas, Gregory, Hanson, Hutchinson, Jerauld, Lake, Lincoln, McCook, Miner, Minnehaha, Moody, Sanborn, Turner, Union and Yankton Counties, SD (*Greene County, AR). (Gateways eliminated: asterisked).

MC 107012 (Sub-E837), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New Commercial and Institutional Fixtures, Cartoned,* (1) From points in ND, to points in AL, FL, GA, LA and MS. (2) From points in ND, to points in NC, SC and TN. (*Greene County, AR, and Grand Rapids, MI and points in KY 38B). (3) From points in Adams, Billings, Bowman, Burleigh, Dunn, Emmons, Golden Valley, Grant, Hettinger, Mercer, Morton, Oliver, Sioux, Slope and Stark Counties, ND, to points in Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Allen, Barren, Breckinridge, Bullitt, Butler, Christian, Edmonson, Grayson, Hardin, Hart, Henry, Jefferson, Larue, Logan, Meade, Muhlenberg, Nelson, Ohio, Oldham, Shelby, Simpson, Spencer, Todd, Trimble, Warren, Ballard, Caldwell, Calloway, Carlisle, Crittenden, Daviess, Fulton, Graves, Hancock, Henderson, Hickman, Hopkins, Livingston, Lyon, Marshall, McCracken, McLean, Trigg, Union and Webster Counties, KY; Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX. (4) From points in Barnes, Cass, Dickey, Kidder, La Moure, Logan, McIntosh, Ransom, Richland, Sargent, Stutsman, Eddy, Foster, Grand Forks, Griggs, Nelson, Steele and Traill Counties, ND, to points in Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR: Aransas, Atascosa, Bandera, Bee, Bexar, Brooks, Cameron, Dimmit, Duval, Frio, Goliad, Hidalgo, Jim Hogg, Jim Wells, Karnes, Kenedy, Kinney, Kleberg, La Salle, Live Oak, McMullen, Maverick, Medina, Nueces, Real, Refugio, San Patricio, Starr, Uvalde, Webb, Willacy, Wilson, Zapata, Zavala, Austin, Bastrop, Bell, Brazoria, Brazos, Burleson, Caldwell, Calhoun, Chambers, Colorado, Comal, DeWitt, Falls, Fayette, Fort Bend, Galveston, Gonzales, Grimes, Guadalupe, Hardin, Harris, Hays, Houston, Jackson, Jasper, Jefferson, Lavaca, Lee, Leon, Liberty, Limestone, Madison, Matagorda, Milam, Montgomery, Newton, Orange, Polk, Robertson, San Jacinto, Travis, Trinity, Tyler, Victoria, Walker, Waller, Washington, Wharton, Williamson, Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX. (5) From points in Benson, Cavalier, Pembina, Pierce, Ramsey, Rolette, Sheridan, Towner, Walsh, Wells, Bottineau, Burke, McHenry, McLean, Mountrail, Renville, Ward, Divide, McKenzie and Williams Counties, ND, to points in Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Allen, Barren, Breckinridge, Bullitt, Butler, Christian, Edmonson, Grayson, Hardin, Hart, Henry, Jefferson, Larue, Logan, Meade, Muhlenberg, Nelson, Ohio, Oldham, Shelby, Simpson, Spencer, Todd, Trimble, Warren, Ballard, Caldwell, Calloway, Carlisle, Crittenden, Daviess, Fulton, Graves, Hancock, Henderson, Hickman, Hopkins, Livingston, Lyon, Marshall, McCracken, McLean, Trigg, Union and Webster Counties, KY; Austin, Bastrop, Bell, Brazoria, Brazos, Burleson, Caldwell, Calhoun, Chambers, Colorado, Comal, De Witt, Falls, Fayette, Fort Bend, Galveston, Gonzales, Grimes, Guadalupe, Hardin, Harris, Hays, Houston, Jackson, Jasper, Jefferson, Lavaca, Lee, Leon, Liberty, Limestone, Madison, Matagorda, Milam, Montgomery, Newton, Orange, Polk, Robertson, San Jacinto, Travis, Trinity, Tyler, Victoria, Walker, Waller, Washington, Wharton, Williamson, Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX. (Gateways eliminated: Greene County, AR, or asterisked.)

MC 107012 (Sub-E838), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New Commercial and Institutional Fixtures, Cartoned,* (1) From points in PA, to points in FL and GA. (2) From points in Cameron, Clarion, Crawford, Elk, Erie, Forest, Jefferson, McKean, Mercer, Potter, Venango and Warren Counties, PA, to points in Autauga, Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Coosa, Cullman, Elmore, Etowah, Jefferson, Lee, Randolph, St. Clair, Shelby, Talladega, Tallapoosa, Barbour, Bullock, Coffee, Covington, Crenshaw, Dale, Geneva, Henry, Houston, Macon, Montgomery, Pike, Russell, DeKalb, Jackson, Limestone, Madison, Marshall, Morgan, Baldwin, Butler, Choctaw, Clarke, Conecuh, Dallas, Escambia, Greene, Hale, Lawndes, Marengo, Mobile, Monroe, Perry, Sumter, Washington, and Wilcox Counties, AL; Buncomber, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey, Alexander, Alleghany, Ashe, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Surry, Watauga, Wilkes and Yadkin Counties, NC; points in SC. (3) From points in Adams, Bedford, Blair, Cambria, Centre, Clearfield, Clinton, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lycoming, Mifflin, Montour, Northumberland, Perry, Snyder, Tioga and Union Counties, PA, to points in AL;

Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania and Yancey Counties, NC; Aiken, Calhoun, Chesterfield, Darlington, Fairfield, Keeshaw, Lancaster, Lee, Lexington, Marlboro, Richland, Sumter, Abbeville, Anderson, Greenville, Ocomee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Lamens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (4) From points in Berks, Bucks, Chester, Delaware, Lancaster, Lebanon, Lehigh, Montgomery, Northampton, Philadelphia, Schuylkill and York Counties, PA, to points in AL; Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania and Yancey Counties, NC; Abbeville, Anderson, Greenville, Ocomee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Lamens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (5) From points in Bradford, Carbon, Columbia, Lackawanna, Luzerne, Monroe, Pike, Sullivan, Susquehanna, Wayne and Wyoming Counties, PA, to points in AL; Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey, Alexander, Alleghany, Ashe, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Surry, Watauga, Wilkes and Yadkin Counties, NC; Aiken, Calhoun, Chesterfield, Darlington, Fairfield, Keeshaw, Lancaster, Lee, Lexington, Marlboro, Richland, Sumter, Abbeville, Anderson, Greenville, Ocomee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Lamens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (6) From points in Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Lawrence, Somerset, Washington and Westmoreland Counties, PA, to points in AL; Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania and Yancey Counties, NC; Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Charleston, Colleon, Dorchester, Hampton, Jasper, Orangeburg, Aiken, Calhoun, Chesterfield, Darlington, Fairfield, Keeshaw, Lancaster, Lee, Lexington, Marlboro, Richland, Sumter, Abbeville, Anderson, Greenville, Ocomee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Lamens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (Gateway eliminated: points in TN.)

MC 107012 (Sub-E839), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New Commercial and Institutional Fixtures, Cartoned.* (1) From points in RI, to points in AL, FL and GA; points in Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey, Alexander, Alleghany, Ashe, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Surry, Watauga, Wilkes and Yadkin Counties, NC; Aiken, Calhoun, Chesterfield, Darlington, Fairfield, Keeshaw, Lancaster, Lee, Lexington, Marlboro, Richland, Sumter, Abbeville, Anderson, Greenville, Ocomee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Lamens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (Gateway eliminated: points in TN.)

MC 107012 (Sub-E840), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New Commercial and Institutional Fixtures, Cartoned.* (1) From points in SC, to points in AZ, CA, CO, ID, KS, MT, NV, NM, OK, OR, SD, UT, WA, and WY. (2) From points in SC, to points in MN (*Grand Rapids, MI). (3) From points in Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Hampton, Jasper, and Orangeburg Counties, SC, to points in AR, IA and ND; Andrews, Archer, Baylor, Blanco, Borden, Bosque, Brown, Burnet, Callahan, Clay, Coke, Coleman, Comanche, Concho, Cooke, Coryell, Crane, Crockett, Crosby, Dawson, Denton, Dickens, Eastland, Ector, Edwards, Erath, Fisher, Gaines, Garza, Gillespie, Glasscock, Hamilton, Haskell, Hill, Hood, Howard, Irion, Jack, Johnson, Jones, Kendal, Kent, Kerr, Kimble, King, Knox, Lampasas, Llamo, Lubbock, Lynn, McCulloch, McLennan, Martin, Mason, Menard, Midland, Mills, Mitchell, Montague, Nolan, Palo Pinto, Parker, Reagan, Runnels, San Saba, Schleicher, Scurry, Shackelford, Somervell, Stephens, Sterling, Stonewall, Sutton, Tarrant, Taylor, Terry, Throckmorton, Tom Green, Upton, Val Verde, Wise, Yoakum, Young, Armstrong, Bailey, Briscoe, Carson, Castro, Childress, Cochran, Collingsworth, Cottle, Dallam, Deaf Smith, Donley, Floyd, Foard, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Hemphill, Hockley, Hutchinson, Lamb, Lipscomb, Moore, Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Wheeler, Wichita, Wilbarger, Aransas, Atascosa, Bandera, Bee, Bexar, Brooks, Cameron, Dimmit, Duval, Frio, Goliad, Hidalgo, Jim Hogg, Jim Wells, Kaines, Kenedy, Kinney, Kleberg, La Salle, Live Oak, McMullen, Maverick, Medina, Nueces, Real, Refugio, San Patricio, Starr, Uvalde, Webb, Willacy, Wilson, Zapata, Zavala, Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, Terrell, Ward, Winkler, Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX. (4) From points in Aiken, Calhoun, Chesterfield, Darlington, Fairfield, Keeshaw, Lancaster, Lee, Lexington, Marlboro, Richland and Sumter Counties, SC, to points in Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Benton, Boone, Carroll, Crawford, Franklin, Johnson, Logan, Madison, Marion, Newton, Pope, Searcy, Sebastian, Van Buren, Washington, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; points in IA and ND; Andrews, Archer, Baylor, Blanco, Borden, Bosque, Brown, Burnet, Callahan, Clay, Coke, Coleman, Comanche, Concho, Cooke, Coryell, Crane Crockett, Crosby, Dawson, Denton, Dickens, Eastland, Ector, Edwards, Erath, Fisher, Gaines, Garza, Gillespie, Glasscock, Hamilton, Haskell, Hill, Hood, Howard, Irion, Jack, Johnson, Jones, Kendall, Kent, Kerr, Kimble, King, Knox, Lampasas, Llamo, Lubbock, Lynn, McCulloch, McLennan, Martin, Mason, Menard, Midland, Mills, Mitchell, Montague, Nolan, Palo Pinto, Parker, Reagan, Runnels, San Saba, Schleicher, Scurry, Shackelford, Somervell, Stephens, Sterling, Stonewall, Sutton, Tarrant, Taylor, Terry Throckmorton, Tom Green, Upton, Van Verde, Wise, Yoakum, Young, Armstrong, Bailey, Briscoe, Carson, Castro, Childress, Cochran, Collingsworth, Cottle, Dallam, Deaf Smith, Donley, Floyd, Foard, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Hemphill, Hockley, Hutchinson, Lamb, Libscomb, Moore, Motley,

Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Wheeler, Wichita, Wilbarger, Aransas, Atascosa, Bandera, Bee, Bexar, Brooks, Cameron, Dimmit, Duval, Frio, Goliad, Hidalgo, Jim Hogg, Jim Wells, Kaines, Kenedy, Kinney, Kleberg, La Salle, Live Oak, McMullen, Maverick, Medina, Nueces, Real, Refugio, San Patricio, Starr, Uvalde, Webb, Willacy, Wilson, Zapata, Zavala, Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, Terrell, Ward, Winkler, Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamor, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX. (5) From points in Clarendon, Dillion, Florence, Georgetown, Horry, Marion and Williamsburg Counties, SC, to points in AR and IA; Bienville, Bossier, Caddo, Claiborne, De Soto, Natchitoches, Reo River, Sabine and Webster Parishes, LA; points in ND and TX. (6) From points in Abbeville, Anderson, Greenville, Ocomee and Pickens Counties, SC, to points in Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Nevada, Pike, Polk, Scott, Sevier, Yell, Benton, Boone, Carroll, Crawford, Franklin, Johnson, Logan, Madision, Marion, Newton, Pope, Searcy, Sebastian, Van Buren, Washington, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Appanoose, Boone, Clarke, Dallas, Decatur, Greene, Grundy, Hamilton, Hardin, Jasper, Lucas, Madison, Mahaska, Marion, Marshall, Monroe, Polk, Poweshiek, Story, Tama, Warren, Wayne, Webster, Adair, Adams, Audubon, Cass, Fremont, Guthrie, Harrision, Mills, Montgomery, Page, Pottawattamie, Ringgold, Shelby, Taylor, Union, Buena Vista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickinson, Emmet, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux and Woodbury Counties, IA; points in ND; Andrews, Archer, Baylor, Blanco, Borden, Bosque, Brown, Burnet, Callahan, Clay, Coke, Coleman, Comanche, Concho, Cooke, Coryell, Crane, Crockett, Crosby, Dawson, Denton, Dickens, Eastland, Ector, Edwards, Erath, Fisher, Gaines, Garza, Gillespie, Glasscock, Hamilton, Haskell, Hill, Hood, Howard, Irion, Jack Johnson, Jones, Kendall, Kent, Kerr, Kimble, King Knox, Lampasas, Llamo, Lubbock, Lynn, McCulloch, McLennan, Martin, Mason, Menard, Midland, Mills, Mitchell, Montague, Nolan, Palo Pinto, Parker, Reagan, Runnels, San Saba, Schleicher, Scurry, Shackelford, Somervell, Stephens, Sterling, Stonewall, Sutton, Tarrant, Taylor, Terry Trockmorton, Tom Green, Upton, Val Verde, Wise, Yoakum, Young, Armstrong, Bailey, Briscoe, Carson, Castro, Childress, Cochran, Collingsworth, Cottle, Dallam, Deaf Smith, Donley, Floyd, Foard, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Hemphill, Hockley, Hutchinson, Lamb, Libscomb, Moore, Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Wheeler, Wichita, Wilbarger, Aransas, Atascosa, Bandera, Bee, Bexar, Brooks, Cameron, Dimmit, Duval, Frio, Goliad, Hidalgo, Jim Hogg, Jim Wells, Kaines, Kenedy, Kinney, Kleberg, La Salle, Live Oak, McMullen, Maverick, Medina, Nueces, Real, Refugio, San Patricio, Starr, Uvalde, Webb, Willacy, Wilson, Zapata, Zavala, Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, Terrell, Ward, Winkler, Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith Titus, Upshur, Van Zandt and Wood Counties, TX. (7) From points in Cherokee, Chester, Edgefield, Greenwood, Lamens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC, to points in Clark, Hempstead, Howard, Lafayette, Little River, Miller, Montgomery, Navada, Pike, Polk, Scott, Sevier, Yell, Benton, Boone,Carroll, Crawford, Franklin, Johnson, Logan, Madison, Marion, Newton, Pope, Searcy, Sebastian, Van Buren, Washington, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Parairie, Pulaski, Saline and White Counties, AR; Appanoose, Boone, Clarke, Dallas, Decatur, Greene, Grundy, Hamilton, Hardin, Jasper, Lucas, Madison, Mahaska, Marion, Marshall, Monroe, Polk, Poweshiek, Story, Tama, Warren, Wayne, Webster, Adair, Adams, Audubon, Cass, Fremont, Guthrie, Harrison, Mills, Montgomery, Page, Pottawattamie, Ringgold, Shelby, Taylor, Union, Buena Vista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickinson, Emmet, Humboldt, Ida, Kossuth, Lyon, Monana, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux and Woodbury Counties, IA; Adams, Billings Bowman, Burleigh, Dunn, Emmons, Golden Valley, Grant, Hettinger, Mercer, Morton, Oliver, Sioux, Slope, Stark, Benson, Cavalier, Pembina, Pierce, Ramsey, Rolette, Sheridan, Towner, Walsh, Wells, Bottineau, Burke, McHenry, McLean, Mountrail, Renville, Ward, Divide, McKenzie and Williams Counties, ND; Andrews, Archer, Baylor, Blanco, Borden, Bosque, Brown, Burnet, Callahan, Clay, Coke, Coleman, Comanche, Concho, Cooke, Coryell, Crane, Crockett, Crosby, Dawson, Denton, Dickens, Eastland, Ector, Edwards, Erath, Fisher, Gaines, Garza, Gillespie, Glasscock, Hamilton, Haskell, Hill, Hood, Howard, Irion, Jack, Johnson, Jones, Kendall, Kent, Kerr, Kimble, King, Knox, Lampasas, Llamo, Lubbock, Lynn, McCulloch, McLennan, Martin, Mason, Menard, Midland, Mills, Mitchell, Montague, Nolan, Palo Pinto, Parker, Reagan, Runne San Saba, Schleicher, Scurry, Shackelford, Somervell, Stephens, Sterling, Stonewall, Sutton, Tarrant, Taylor, Terry, Throckmorton, Tom Green, Upton, Val Verde, Wise, Yoakum, Young, Armstrong, Bailey, Briscoe, Carson, Castro, Childress, Cochran, Collingsworth, Cottle, Dallam, Deaf Smith, Donley, Floyd, Foard, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Hemphill, Hockley, Hutchinson, Lamb, Lipscomb, Moore, Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Wheeler, Wichita, Wilbarger, Aransas, Atascosa, Bandera, Bee, Bexar, Brooks, Cameron, Dimmit, Duval, Frio, Goliad, Hidalgo, Jim Hogg, Jim Wells, Kaines, Kenedy, Kinney, Kleberg, LaSalle, Live Oak, Mc Mullen, Maverick, Median, Nueces, Real, Refugio, San Patricio, Starr, Uvalde, Webb, Willacy, Wilson, Zapata, Zavala, Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, Terrell, Ward, Winkler, Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX. (8) From points in Abbeville, Anderson, Greenville, Ocomee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Lamens, Mc Cormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC, to points in Allamakee, Black Hawk, Bremer, Buchanan, Butler, Cerro Gordo, Chickasaw, Clayton, Delaware, Fayette,

Floyd, Franklin, Hancock, Howard, Mitchell, Winnebago, Winneshiek, Worth and Wright Counties, IA (*Grand Rapids, MI). (Gateway eliminated: Greene County, AR or asterisked.)

MC 107012 (Sub-E841), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New Commercial and Institutional Fixtures, Cartoned.* (1) From points in SD, to points in AL, FL, GA, LA, MS, SC and TN. (2) From points in SD, to points in NC (*Greene County, AR and Grand Rapids, MI and points in KY). (3) From points in Bennett, Butte, Custer, Fall River, Haakon, Jackson, Lawrence, Meade, Pennington, Shannon, Washabaugh and Ziebach Counties, SD, to points in Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Allen, Barren, Breckinridge, Bullitt, Butler, Christian, Edmonson, Grayson, Hardin, Hart, Henry, Jefferson, LaRue, Logan, Meade, Muhlenberg, Nelson, Ohio, Oldham, Sheleby, Simpson, Spencer, Todd, Trimble, Warren, Adair, Anderson, Boyle, Casey, Clinton, Cumberland, Fayette, Gerrard, Green, Jessamine, Lincoln, Madison, Marion, Mercer, Metcalfe, Monroe, Pulaski, Rockcastle, Russell, Taylor, Washington, Wayne, Woodford, Bell, Breathitt, Clay, Estill, Floyd, Harlan, Jackson, Knott, Knox, Laurel, Lee, Leslie, Letcher, McCreary, Owsley, Perry, Pike, Whitley, Ballard, Caldwell, Calloway, Carlisle, Crittenden, Daviess, Fulton, Graves, Hancock, Henderson, Hickman, Hopkins, Livingston, Lyon, Marshall, McCracken, McLean, Trigg, Union and Webster, Counties, KY; Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Lee, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise, Wythe, Accomack, Gloucester, Greensville, Isle of Wight, Lancaster, Mathews, Middlesex, Nansemond, Northampton, Northumberland, Richmond, Southampton, Surry, Sussex, York, Albemarle, Amelia, Brunswick, Buckingham, Charles City, Chesterfield, Cumberland, Dinwiddie, Fluvanna, Goochland, Hanover, Henrico, James City, King And Queen, King William, Louisa, Lunenburg, Mecklenburg, New Kent, Nottoway, Powhatan, Prince Edward and Prince George Counties, VA and the Independent Cities of Bedford, Bristol, Buena Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, So. Boston, Staunton, Chesapeake, Emporia, Franklin, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach, Williamsburg, Charlottesville, Colonial Heights, Hopewell, Petersburg, Richmond and Waynesboro, VA. (4) From points in Campbell, Corson, Dewey, Edmunda, Faulk, Harding, McPherson, Perkins, Potter and Walworth Counties, SD, to points in Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Arkansas, Cleburne, Union, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Allen, Barren, Breckinridge, Bullitt, Butler, Christian, Edmonson, Grayson, Hardin, Hart, Henry, Jefferson, LaRue, Logan, Meade, Muhlenberg, Nelson, Ohio, Oldham, Sheleby, Simpson, Spencer, Todd, Trimble, Warren, Bell, Breathitt, Clay, Estill, Floyd, Harlan, Jackson, Knott, Knox, Laurel, Lee, Leslie, Letcher, McCreary, Owsley, Perry, Pike, Whitley, Ballard, Caldwell, Calloway, Carlisle, Crittenden, Daiveess, Fulton, Graves, Hancock, Henderson, Hickman, Hopkins, Livingston, Lyon, Marshall, McCracken, McLean, Trigg, Union and Webster Counties, KY; Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fanin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX; Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Lee, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise and Wythe Counties, VA and the Independent Cities of Bedford, Bristol, Buena Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, So. Boston and Staunton, VA. (5) From points in Brule, Buffalo, Hand, Hughes, Hyde, Jones, Lyman, Mellette, Stanley, Sully, Todd and Tripp Counties, SD, to points in Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Allen, Barren, Breckinridge, Bullitt, Butler, Christian, Edmonson, Grayson, Hardin, Hart, Henry, Jefferson, LaRue, Logan, Meade, Muhlenberg, Nelson, Ohio, Oldham, Sheleby, Simpson, Spencer, Todd, Trimble, Warren, Bell, Breathitt, Clay, Estill, Floyd, Harland, Jackson, Knott, Knox, Laurel, Lee, Leslie, Letcher, Mc Creary, Owsley, Perry, Pike, Whitley, Ballard, Caldwell, Calloway, Carlisle, Crittenden, Daviess, Fulton, Graves, Hancock, Henderson, Hickman, Hopkins, Livingston, Lyon, Marshall, McCracken, McLean, Trigg, Union and Webster Counties, KY; Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Lee, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise, Wythe, Accomack, Gloucester, Greensville, Isle Of Wight, Lancaster, Mathews, Middlesex, Nansemond, Northampton, Northumberland, Richmond, Southampton, Surry, Sussex and York Counties, VA and the Independent Cities of Bedford, Bristol, Buena Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, So. Boston, Staunton, Chesapeake, Emporia, Franklin, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach and Williamsburg, VA. (6) From points in Beadle, Brookings, Brown, Clark, Codington, Day, Deuel, Grant, Hamlin, Kingsbury, Marshall, Roberts and Spink Counties, SD, to points in Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Allen, Barren, Breckinridge, Bullitt, Butler, Christian, Edmonson, Grayson, Hardin, Hart, Henry, Jefferson, LaRue, Logan, Meade, Muhlenberg, Nelson, Ohio, Oldham, Sheleby, Simpson, Spencer, Todd, Trimble, Warren, Ballard, Caldwell, Calloway, Carlisle, Crittenden, Daviess, Fulton, Graves, Hancock, Henderson, Hickman, Hopkins, Livington, Lyon, Marshall, McCracken, McLean, Trigg,

Union and Webster Counties, KY; Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX. (7) From points in Aurora, Bon Homme, Charles Mix, Clay, Davison, Douglas, Gregory, Hanson, Hutchinson, Jerauld, Lake, Lincoln, McCook, Miner, Minnehaha, Moody, Sanborn, Turner, Union and Yankton Counties, SD, to points in Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Allen, Barren, Breckinridge, Bullitt, Butler, Christian, Edmonson, Grayson, Hardin, Hart, Henry, Jefferson, LaRue, Logan, Meade, Muhlenberg, Nelson, Ohio, Oldham, Sheleby, Simpson, Spencer, Todd, Trimble, Warren, Ballard, Caldwell, Calloway, Carlisle, Crittenden, Daviess, Fulton, Graves, Hancock, Henderson, Hickman, Hopkins, Livingston, Lyon, Mrshall, McCracken, McLean, Trigg, Union and Webster Counties, KY; Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Lee, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise and Wythe Counties, VA and the Independent Cities of Bedford, Bristol, Buena Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, So. Boston and Staunton, VA. (Gateway eliminated: Greene County, AR, or asterisked.)

MC 107012 (Sub-E842), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New Commercial and Institutional Fixtures, Cartoned* (1) From points in VT, to points in AL, FL and GA. (2) From points in Bennington, Rutland, Windham and Windsor Counties, VT, to points in Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey, Alexander, Alleghany, Ashe, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Surry, Watauga, Wilkes and Yakin Counties, NC; Aiken, Calhoun, Chesterfield, Darlington, Fairfield, Keeshaw, Lancaster, Lee, Lexington, Marlboro, Richland, Sumter, Abbeville, Anderson, Greenville, Ocomee, Pickens, Cherokee, Chester Edgefield, Greenwood, Lamens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (3) From points in Chittenden, Franklin, Grand Isle, Lamoille, Addison, Orange, Washington, Caledonia, Essex and Orleans Counties, VT, to points in Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey, Alexander, Alleghany, Ashe, Avery, Burke, Cladwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Surry, Watauga, Wilkes and Yadkin Counties, NC; Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Hampton, Jasper, Orangeburg, Aiken, Calhoun, Chesterfield, Darlington, Fairfield, Keeshaw, Lancaster, Lee, Lexington, Marlboro, Richland, Sumter, Abbeville, Anderson, Greenville, Ocomee, Pickens, Cherokee, Chester, Edgefield, Greewood, Lamens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (Gateway eliminated: points in TN.)

MC 107012 (Sub-E843), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Applicant's Representatives: David D. Bishop and Gary M. Crist (same as above). *New Commercial and Institutional Fixtures, Cartoned* (1) From points in VA, to points in AZ, AR, CA, NV, NM, OK, OR, TX, UT and WA. (2) From points in VA, to points in MN (*Grand Rapids, MI) (3) From points in Arlington, Caroline, Culpeper, Essex, Fairfax, Fauquier, King George, Orange, Prince William, Spotsylvania, Stafford and Westmoreland Counties, VA and the Independent Cities of Alexandria, Fairfax, Falls Church and Fredericksburg, VA, to points in CO, ID and KS; Avoyelles, Catahoula, Concordia, Evangeline, Grant, La Salle, Rapids, Saint Landry, Acadia, Vernon, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richand, Tensas, Union, West, Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, De Soto, Natchitoches, Reo River, Sabin and Webster Parishes, LA; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington and Yazoo Counties, MS; Beaverhead, Broadwater, Deerlodge, Gallatin, Granite, Jefferson, Madison, Park, Ravalli, Silver Bow, Stillwater, Sweet Grass, Flathead, Glacier, Lake, Lincoln, Mineral, Missoula, Powell and Sanders Counties, MT; Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, Mc Nairy, Madison, Obion, Shelby and Tipton Counties, TN; points in WY. (4) From points in Arlington, Caroline, Culpeper, Essex, Fairfax, Fauquier, King George, Orange, Prince William, Spotsylvania, Stafford and Westmoreland Counties, VA and the Independent Cities of Alexandria, Fairfax, Falls Church and Fredericksburg, VA, to points in IA (*Grand Rapids, MI). (5) From points in Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickerson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Lee, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanake, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise and Wythe Counties, VA and the Independent Cities of Bedford, Bristol, Buena Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, So. Boston and Staunton, VA, to points in CO and ID; Adair, Adams, Audubon, Cass, Fremont, Guthrie, Harrison, Mills, Montgomery, Page, Pottawattamie, Ringgold, Shelby, Taylor, Union, Buena Vista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickinson, Emmet, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux and Woodbury Counties, IA; points in KS; Avoyelles, Catahoula, Concordia, Evangeline, Grant, La Salle, Rapids, Saint Landry, Vernon, Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, De Sota, Natchitoches, Reo River, Sabine and Webster Parishes, LA' points in MT; Bennett, Butte, Custer, Fall River, Haakon, Jackson, Lawrence, Meade, Pennington, Shannon, Washabaugh, Zieback, Campbell, Corson, Dewey, Edmunda, Faulk, Harding, Mc Pherson, Perkins, Potter, Walworth, Brule, Buffalo, Hand, Hughes,

Hyde, Jones, Lyman, Mellette, Stanley, Sully, Todd, Tripp, Aurora, Bon Homme, Charles Mix, Clay, Davison, Douglas, Gregory, Hanson, Hutchinson, Jerauld, Lake, Lincoln, McCook, Miner, Minnehaha, Moody, Sanborn, Turner, Union and Yankton Counties, SD; points in WY. (6) From points in Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Lee, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise and Wythe Counties, VA and the Independent Cities of Bedford, Bristol, Buena Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, So. Boston and Staunton, VA, to points in Allamakee, Black Hawk, Brenmer, Buchanan, Butler, Cerro Gordo, Chickasaw, Clayton, Delaware, Fayette, Floyd, Franklin, Hancock, Howard, Mitchell, Winnebago, Winneshiek, Worth, Wright, Appanoose, Boone, Clarke, Dallas, Decatur, Greene, Grundy, Hamilton, Hardin, Jasper, Lucas, Madison, Mahaska, Marion, Marshall, Monroe, Polk, Poweshiek, Story, Tama, Warren, Wayne and Webster Counties, IA (*Grand Rapids, MI). (7) From points in Accomack, Gloucester, Greensville, Isle of Wight, Lancaster, Mathews, Middlesex, Nansemond, Northampton, Northumberland, Richmond, Southampton, Surry, Sussex and York Counties, VA and the Independent Cities of Chesapeake, Emporia, Franklin, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach and Williamsburg, VA to points in CO, ID and KS; Acadia, Allen, Beauregard, Cacasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, De Soto, Natchitoches, Reo River, Sabine and Webster Parishes, LA; Beaverhead, Broadwater, Deerlodge, Gallatin, Granite, Jefferson, Madison, Park, Ravalli, Silver Bow, Stillwater, Sweet Grass, Blaine, Cascade, Chouteau, Fergus, Golden Valley, Hill, Judith Basin, Lewis and Clark, Liberty, Meagher, Petroleum, Pondera, Teton, Toole, Wheatland, Flathead, Glacier, Lake, Lincoln, Mineral, Missoula, Powell, Sanders, Bighorn, Carbon, Carter, Custer, Fallon, Musselshell, Powder River, Prairie, Rosebud, Treasure, Wibaux and Yellowstone Counties, MT; Bennett, Butte, Custer, Fall River, Haakon, Jackson, Lawrence, Meade, Pennington, Shannon, Washabaugh, Ziebach, Brule, Buffalo, Hand, Hughes, Hyde, Jones, Lyman, Mellette, Stanley, Sully, Todd and Tripp Counties, SD; Chester, Crockett, Dryer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, Mc Nairy, Madison, Obion, Shelby and Tipton Counties, TN; points in WY. (8) From points in Accomack, Gloucester, Greensville, Isle of Wight, Lancaster, Mathews, Middlesex, Nansemond, Northampton, Northumberland, Richmond, Southampton, Surry, Sussex and York Counties, VA and the Independent Cities of Chesapeake, Emporia, Franklin, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach and Williamsburg, VA to points in IA (*Grand Rapids, MI). (9) From points in Albemarle, Amelia, Brunswick, Buckingham, Charles City, Chesterfield, Cumberland, Dinwiddie, Fluvanna, Goochland, Hanover, Henrico, James City, King and Queen, King William, Louisa, Lunenburg, Mecklenburg, New Kent, Nottoway, Powhatan, Prince Edward and Prince George Counties, VA and the Independent Cities of Charlottesville, Colonial Heights, Hopewell, Petersburg, Richmond and Waynesboro, VA, to points in CO, ID and KS: Avoyelles, Catahoula, Concordia, Evangeline, Grant, La Salle, Rapids, Saint Landry, Vernon, Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West, Carroll, Bienville, Bossier, Caddo, Claiborne, De Soto, Winn, Natchitoches, Reo River, Sabin and Webster Parishes, LA; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington and Yazoo Counties, MS; Beaverhead, Broadwater, Deerlodge, Gallatin, Granite, Jefferson, Madison, Park, Ravalli, Silver Bow, Stillwater, Sweet Grass, Blaine, Cascade, Chouteau, Fergus, Golden Valley, Hill, Judith Basin, Lewis and Clark, Liberty, Meagher, Petroleum, Pondera, Teton, Toole, Wheatland, Flathead, Glacier, Lake, Lincoln, Mineral, Missoula, Powell, Sanders, Bighorn, Carbon, Carter, Custer, Fallon, Musselshell, Powder River, Prairie, Rosebud, Treasure, Wibaux and Yellowstone Counties, MT; Bennett, Butte, Custer, Fall River, Haakon, Jackson, Lawrence, Meade, Pennington, Shannon, Washabaugh and Ziebach Counties, SD; points in WY. (10) From points in Albemarle, Amelia, Brunswick, Buckingham, Charles City, Chesterfield, Cumberland, Dinwiddie, Fluvanna, Goochland, Hanover, Henrico, James City, King and Queen, King William, Louisa, Lunenburg, Mecklenburg, New Kent, Nottoway, Powhatan, Prince Edward and Prince George Counties, VA and the Independent Cities of Charlottesville, Colonial Heights, Hopewell, Petersburg, Richmond and Waynesboro, VA, to points in Allamakee, Black Hawk, Bremer, Buchanan, Butler, Cerro Gordo, Chickasaw, Clayton, Delaware, Fayette, Floyd, Franklin, Hancock, Howard, Mitchell, Winnebago, Winneshiek, Worth, Wright, Appanoose, Boone, Clarke, Dallas, Decatur, Greene, Grundy, Hamilton, Hardin, Jasper, Lucas, Madison, Mahaska, Marion, Marshall, Monroe, Polk, Poweshiek, Story, Tama, Warren, Wayne, Webster Adair, Adams, Audubon, Cass, Fremont, Guthrie, Harrison, Mills, Montgomery, Page, Pottawattamie, Ringgold, Shelby, Taylor, Union, Buena Nista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickinson, Emmet, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux and Woodbury Counties, IA (*Grand Rapids, MI). (11) From points in Clarke, Frederick, Greene, Loudoun, Madison, Page, Rappahannock, Rockingham, Shenandoah and Warren Counties, VA and the Independent Cities of Harrisonburg and Winchester, VA, to points in Garfield, Mesa, Moffat, Rio Blanco, Routt, Adams, Arapahoe, Boulder, Cedar Creek, Chaffee, Denver, Douglas, Eagle, Elbert, El Paso, Fremont, Gilpin, Grant, Jackson, Jefferson, Lake, Larimer, Park, Pitkin, Summit, Teller, Alamosa, Archuleta, Conejos, Delta, Dolores, Gunnison, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Quray, Rio Grande, Saguache, San Juan, San Miguel, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Lincoln, Otero, Prowers and Pueblo Counties, CO; Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Gooding, Lemhi, Owyhee, Payette, Twin Falls, Valley, Washington, Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Cassia, Clark, Franklin, Fremont, Jefferson, Jeome, Lincoln, Madison, Minidoka, Oneida and Power Counties, ID; Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade, Morton, Pawnee, Seward, Stanton, Stevens, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Rooks,

Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Allen, Anderson Bourbon, Butler, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Montgomery, Neosho, Wilson and Woodson Conties, KS; Avoyelles, Catahoula, Concordia, Evangeline, Grant, La Salle, Rapids, Saint Landry, Vernon, Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Lafayette, Vermilion, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn, Bienville, Bossier, Caddo, Claiborne, De Soto, Natchitoches, Reo River, Sabin and Webster Parishes, LA; Bolivar, Carrol, Coahoma, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Warren, Washington and Yazoo Counties, MS; Lincoln, Sublette, Sweetwater and Uinta Counties, WY. (12) From points in Clarke, Frederick, Greene, Loudoun, Madison, Page, Rappahannock, Rockingham, Shenandoah and Warren Counties, VA and the Independent Cities of Harrisonburg and Winchester, VA, to points in Allamakee, Black Hawk, Brenmer, Buchanan, Butler, Cerro Gordo, Chickasaw, Clayton, Delaware, Fayette, Floyd, Franklin, Hancock, Howard, Mitchell, Winnebago, Winneshiek, Worth, Wright, Appanoose, Boone, Clarke, Dallas, Decatur, Greene, Grundy, Hamilton, Hardin, Jasper, Lucas, Madison, Mahaska, Marion, Marshall, Monroe, Polk, Poweshiek, Story, Tama, Warren, Wayne, Webster, Adair, Adams, Audubon, Cass, Fremont, Guthrie, Harrison, Mills, Montgomery, Page, Pottawattamie, Ringgold, Shelby, Taylor, Union, Buena Vista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickinson, Emmet, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux and Woodbury Counties, IA (*Grand Rapids, MI). (Gateway eliminated: Greene County, AR, or Asterisks.)

MC 107012 (Sub-E844), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New Commercial and Institutional Fixtures, Cartoned.* (1) From points in WV, to points in AL, FL and GA. (2) From points in Greenbrier, McDowell, Mercer, Monroe, Pocahontas, Raleigh, Summers, Wyoming, Braxton, Clay, Fayette, Kanawha, Nicholas, Webster, Barbour, Berkeley, Doddridge, Grant, Hampshire, Hardy, Harrison, Jefferson, Lewis, Marion, Mineral, Monongalia, Morgan, Pendleton, Preston, Randolph, Taylor, Tucker, Tyler, Upshur, Wetzel, Calhoun, Gilmer, Jackson, Mason, Pleasants, Ritchie, Roane, Wirt and Wood Counties, WV, to points in Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania and Yancey Counties, NC; Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Hampton, Jasper, Orangeburg, Aiken, Calhoun, Chesterfield, Darlington, Fairfield, Keeshaw, Lancaster, Lee, Lexington, Marlboro, Richland, Sumter, Abbeville, Anderson, Greenville, Ocomee, Pickens, Cherokee, Chester, Edgefield, Greenwood, Lamens, McCormick, Newberry, Saluda, Spartanburg, Union and York Counties, SC. (3) From points in Brooke, Hancock, Marshall and Ohio Counties, WV, to points in Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey, Alexander, Alleghany, Ashe, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Surry, Watauga, Wilkes and Yadkin Counties, NC; points in SC. (4) From points in Boone, Cabell, Lincoln, Logan, Mingo, Putnam and Wayne Counties, WV, to points in Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey, Beaufort, Bertie, Camden, Chowan, Currituck, Dare, Edgecombe, Gates, Halifax, Hertford, Hyde, Martin, Nash, Northampton, Pamlico, Pasquotank, Per Quimans, Pitt, Tyrrell, Washington, Wilson, Alexander, Alleghany, Ashe, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Surry, Watauga, Wilkes, Yadkin, Bladen, Brunswick, Carteret, Columbus, Craven, Cumberland, Duplin, Greene, Harnett, Hoke, Johnston, Jones, Lenoir, New Hanover, Onslow, Pender, Robeson, Sampson, Scotland and Wayne Counties, NC; points in SC. (Gateway eliminated: points in TN.)

MC 107012 (Sub-E845), filed May 13, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop and Gary M. Crist (same as above). *New Commercial and Institutional Fixtures, Cartoned.* (1) From points in WY, to points in AL, FL, GA, MS, NC, SC and TN. (2) From points in WY, to points in KY and VA (*Greene County, AR, and Grand Rapids, MI and points in KY). (3) From points in Albany, Carbon, Converse, Goshen, Laramie, Niobrara and Platte Counties, WY, to points in Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Avoyelles, Catahoula, Concordia, Evangeline, Grant, La Salle, Rapids, Saint Landry, Vernon, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Quachita, Richland, Tensas, Union, West Carroll, Winn, Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Saint Bernard, Saint Charles, Saint Helena, Saint James, Saint John The Baptist, Saint Martin, Saint Mary, Saint Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge and West Feliciana Parishes, LA. (4) From points in Park, Teton and Yellowstone National Park Counties, WY, to points in Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; points in LA; Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX. (5) From points in Lincoln, Sublette, Sweetwater and Uinta Counties, WY, to points in Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Avoyelles, Catahoula, Concordia, Evangeline, Grant, La Salle, Rapids, Saint Landry, Vernon, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Quachita, Richland, Tensas, Union, West Carroll, Winn, Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Saint Bernard, Saint Charles, Saint Helena, Saint James, Saint John The Baptist, Saint Martin, Saint Mary, Saint Tammany, Tangipahoa, Terrebonne,

Washington, West Baton Rouge and West Feliciana Parishes, LA. (6) From points in Fremont, Hot Springs and Natrona Counties, WY, to points in Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; Avoyelles, Catahoula, Concordia, Evangeline, Grant, La Salle, Rapids, Saint Landry, Vernon, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Quachita, Richland, Tensas, Union, West Carroll, Winn, Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Saint Bernard, Saint Charles, Saint Helena, Saint James, Saint John The Baptist, Saint Martin, Saint Mary, Saint Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge and West Feliciana Parishes, LA. (7) From points in Big Horn, Campbell, Crook, Johnson, Sheridan, Washakie and Weston Counties, WY, to points in Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Dallas, Desha, Drew, Lincoln, Quachita, Union, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Perry, Phillips, Prairie, Pulaski, Saline and White Counties, AR; points in LA; Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt and Wood Counties, TX. (Gateway eliminated: Greene County, AR, or asterisks.)

By the Commission.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-5368 Filed 2-20-80; 8:45 am]

BILLING CODE 7035-01-M

Motor Carrier Temporary Authority Applications

The following are notices of filing of applications for temporary authority under Section 210(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the **Federal Register** publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the **Federal Register.** One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human enviroment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the ICC Field Office to which protests are to be transmitted.

Note.—All applications seek authority to operate as a common carrier over irregular routes except as otherwise noted.

Motor Carriers of Property

MC 1824 (Sub-115 TA), filed November 2, 1979. Applicant: PRESTON TRUCKING COMPANY, INC., 151 Easton Boulevard, Preston, MD 21655. Representative: Thomas M. Auchincloss, Jr., 918 16th Street NW., Washington, D.C. 20006. *Common; Regular: General commodities,* except those of unusual value, classes A & B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Chicago, IL, and Janesville, WI, from Chicago over US Hwy 20 to Junction US Hwy 51, then over US Hwy 51, to Janesville, and return over the same route, serving all intermediate points, and as off-route points, points in Rock County, WI, and Winnebago County, IL, for 180 days. An underlying ETA seeks 10 days authority. Applicant proposes to tack and interline traffic with present connecting carriers at authorized points as provided in tariffs on file with the Commission. Supporting Shipper(s): There ar five shippers. Their statements may be examined at the office listed below and Headquarters. Send protests to: ICC Fed. Res. Bank Bldg., 101 N. 7th Street, Rm 620, Phila., PA 19106.

MC2095 (Sub-28TA); filed December 13, 1979. Applicant: KEIM TRANSPORTATION, INC., 420 N. Sixth, Sabetha, KS 66534. Representative: Attorney Clyde N. Christey, 1010 Tyler, Suite 110L, Topeka, KS 66612. *Gypsum, gypsum wallboard, joint system, materials, and supplies used in the application thereof,* from Georgia-Pacific plantsite, Acme, TX, to points in CO. For 180 days, common, irregular route. Supporting shipper: Georgia-Pacific Corp., 900 S.W. Fifth Ave., Portland, OR 97204. Send protests to: M. E. Taylor, D/S, ICC, 101 Litwin Bldg., Wichita, KS.

MC 3854 (Sub-56TA), filed December 10, 1979. Applicant: BURTON LINES, INC., P.O. Box 11306 East Durham Stat., Durham, NC 27703. Representative: G. E. Martin, Jr., 815 Ellis Rd., Durham, NC 27703. *Lumber, plywood and composition board* from the facilities of Holly Hill Lumber Company at or near Holly Hill, SC to points in KY, NC, OH, PA, TN, VA and WV, for 180 days. Supporting shipper(s): Holly Hill Lumber Company, P.O. Box 128, Holly Hill, SC 29059. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd., Rm. CC516, Charlotte, NC 28205.

MC 8515 (Sub-35 TA), filed November 8, 1979. Applicant: TOBLER TRANSFER, INC., Junction Interstate 80 and Illinois 89, Spring Valley, IL 61362. Representative: Leonard R. Kofkin, 39 S. LaSalle, St., Chicago, IL 60603. *Agricultural machine parts, tractor, parts, and materials, equipment, and supplies used in manufacturing, repair, and maintenance of tractors and agricultural machinery,* between East Moline, Canton, and Rock Island, IL and points in MN, IN, MO, OH, KY, KS, IA, MI and WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): International Harvester Company, 401 N. Michigan Ave., Chicago, IL 60611. Send protests to: Transporation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 2955 (Sub-104TA), filed December 11, 1979. Applicant: BRIGGS TRANSPORTATION CO., N. 400 Griggs Midway Bldg., St. Paul, MN 55104. Representative: Stephen F. Grinnell, N. 400 Griggs Midway Bldg., St. Paul, MN 55104. *General commodities,* except those of unusual value, livestock, Class A&B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment (except those requiring temperature control) and those injurious or contaminating to other lading, serving the plantsite of the Anaconda Wire and Cable Division at or near LaGrange, Kentucky as an off

route point in connection with applications existing regular route operations, for 180 days. Applicant request authority to interline at Chicago and Rockford, IL; St. Paul, MN; Des Moines, IA; St. Louis and Kansas City, MO; Omaha, NE; Denver, CO and to tack this authority with authority it presently holds in No. MC–29555 Sub 88. Supporting shipper(s): Anaconda Wire and Cable Division, Greenwich Office Park 3, Greenwich, Connecticut 06830. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Chicago, IL 60604.

MC 30605 (Sub-167TA), filed December 7, 1979. Applicant: THE SANTA FE TRAIL TRANSPORTATION CO., 433 E. Waterman, Wichita, KS 67202. Representative: Mr. J. M. Bourk, same address. *General commodities,* except those of unusual value, Class A & B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, to serve plantsite of Eagle-Picher Ind., Inc., Stella, MO, as an off-route point in connection with presently authorized routes. 180 days, common, regular route. Applicant does intend to tack this authority with authority it presently holds in MC–30605. Supporting shipper: Eagle-Picher Ind., Inc., "C" & Porter St., Joplin, MO 64801. Send protests to: M. E. Taylor, D/S, ICC, 101 Litwin Bldg., Wichita, KS 67202.

MC 35334 (Sub-84TA), filed December 5, 1979. Applicant: COPPER JARRETT, INC., Hanover Plaza, Morristown, NJ 07960. Representative: Irvin Klein, 371–7th Avenue, New York, NY 10001. *General commodities* (usual exceptions). Between Rodkford, IL and Milwaukee, WI on the one hand and points in Wisconsin on the other, for 180 days. Applicant does intend to tack this authority. Supporting shipper(s): There are 41 supporting shippers to this application. They may be examined at the Newark, NJ field office or Washington, DC. Send protests to: Joel Morrows, D/S, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 40815 (Sub-6TA), filed December 3, 1979. Applicant: HARRAN TRANSPORTATION COMPANY, INC., 1417 Jerusalem Avenue, North Merrick, NY 11565. Representative: Owen B. Katzman, Suite 800 South, 1800 M Street, NW., Washington, DC 20036. *Passengers and their baggage in one-way and round-trip charter and special operations,* between New York, NY, and Rockland, Nassau and Suffolk Counties, NY, on the one hand, and, on the other, points in the US except Hawaii; for 180 days. Supporting shipper(s): There are sixty-nine (69) supporting statements, which may be examined at the office listed below and headquarters. Send protests to: Maria B. Kejss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, NY 10007.

MC 45764 (Sub-35TA), filed November 28, 1979. Applicant: ROBBINS MOTOR TRANSPORTATION INC., Industrial Highway & Saville Ave., Eddystone, PA 19013. Representative: Edward Kells (same as applicant). *Fabricated structural steel,* from the facilities of Lehigh Structural Steel Co. at Allentown, PA to points in the U.S., (except AK and HI), for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Lehigh Structural Steel Co., One Allen St., Allentown, PA 18105. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 45764 (Sub-36TA), filed October 22, 1979. Applicant: ROBBINS MOTOR TRANSPORTATION, INC., Industrial Highway & Saville Ave., Eddystone, PA 19013. Representative: Edward Kells (same address as applicant). *General commodities (except Class A & B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), in containers or in trailers, and empty containers and trailer chassis,* between the Ports of Boston, MA; New York, NY; Newark, NJ; Philadelphia, PA; Baltimore, MD; Norfolk, VA and Charleston, SC, restricted to traffic having an immediately prior or subsequent movement by water, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Maersk Container Service Co., Inc., 231 Tyler St., Port Newark, NJ 07114. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Philadelphia, Pa 19106.

MC 52704 (Sub-265TA), filed October 26, 1979. Applicant: GLENN McCLENDON TRUCKING COMPANY, INC., P.O. Drawer "H", LaFayette, AL 36862. Representative: Archie B. Culbreth and John P. Tucker, Jr., 2200 Century Parkway, Suite 202, Atlanta, GA 30345. *Plastic containers,* from Birmingham, AL, to Columbus, GA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Owens-Illinois, Inc., P.O. Box 1035, Toledo, OH 43666. Send protests to: Mabel E. Holstom, TA, I.C.C., Room 1616, 2121 Bldg., Birmingham, AL 35203.

MC 59444 (Sub-10TA), filed December 10, 1979. Applicant: WALLER TRUCK CO., INC., Highway 10 East, Richmond, MO 64085. Representative: Frank W. Talor, Jr., Suite 600, 1221 Baltimore Avenue, Kansas City, MO 64105. *Plastic cups, caps, lids, tumblers, dishes, cutlery, disposable,* from the facilities of Thompson Industries at Higginsville, MO, to the State of TX, from 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Thompson Industries, 2501 East Magnolia, Phoenix, AZ 85034. Send protests to: Vernon V. Coble, DS, ICC, Room 600, 911 Walnut St., Kansas City, MO 64106.

MC 61445 (Sub-21TA), filed December 10, 1979. Applicant: CONTRACTORS TRANSPORT CORP., 5800 Farrington Ave., Alexandria, VA 22304. Representative: Daniel B. Johnson, 4304 East-West Hwy., Washington, DC 20014. *Precast concrete products and materials, supplies and equipment used in the manufacture or precast concrete* (except commodities in bulk), between Woodbridge, VA, on the one hand, and on the other, points in TN, GA, SC, NC, VA, WV, MD, DE, PA, NJ, NY, and DC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Reserve Co., Incorporated, 1414 22 Street, NW., Washinington, DC 20037. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St, Rm. 620, Phila., Pa. 19106.

MC 98334 (Sub-3TA), filed December 10, 1979. Applicant: INDUSTRIAL TRANSIT SERVICE, INC., 3203 Pluto, Dallas, TX 75212. Representative: Bernard H. English, 6270 Firth Road, Fort Worth, TX 76116. (1) *commodities which because of size or weight require the use of special equipment, and parts thereof when moving in connection with such commodities, and* (2) *self-propelled articles, each weighing 15,000 pounds or more, and related to machinery, tools, parts, and supplies moving in connection therewith,* between points in AR, KS, LA, NE, NM, OK, and TX. Supporting shipper(s): Austin Power, Inc., P.O. Box 382, Carrollton, TX 75006; Kirkpatrick & O'Donnell Construction Equipment Co., P.O. Box 907, Irving, TX 75060; Conley-Lott-Nichols Machinery Company, P.O. Box 222821, Dallas, TX 75222; Austin Bridge Co., P.O. Box 1590, Dallas, TX 75221. Send protests to: Marianne Minnich, TCS, I.C.C., 411 West 7th St., Suite 600, Fort Worth, TX 76102.

MC 99455 (Sub-3TA), filed December 5, 1979. Applicant: M. H. HILLERY, INC., 100 Western Avenue, Allston, MA 02134. Representative: Ronald N. Cobert, Esq., 1730 M Street, NW., Suite 501, Washington, DC 20036. *Alcoholic beverages,* from Boston, MA, to the facilities of Heublin, Inc., in Hartford, New Haven, and Bridgeport, CT. Supporting shipper(s): Colony Steamship

Lines, 131 State Street, Boston, MA 02109. Send protests to: John B. Thomas, D/S, I.C.C., Boston, MA 02114.

MC 106074 (Sub-448TA), filed December 3, 1979. Applicant: B AND P MOTOR LINES, INC., Shiloh Rd and US Highway 221 South, Forest City, NC 28043. Representative: John J. Capo, P.O. Box 720434, Atlanta, GA 30328. *Lumber squares* from White Swan, WA to Lenoir, NC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Singer Furniture Division, P.O. Box 1588, Lenoir, NC 28645. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd–Rm CC516, Charlotte, NC 28205.

MC 107295 (Sub-954TA), filed December 6, 1979. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, IL 61842. Representative: Duane Zehr, same as applicant. (1) *Iron and steel articles,* from Sparrows Point, MD to Galesburg, IL and Birmingham, AL; and from Middletown, OH, to Birmingham, AL; and (2) *Plastic articles:* from Compton, CA to Galesburg, IL for 180 days. Supporting shipper(s): Butler Manufacturing Co., 1020 S. Henderson, Galesburg, IL 61401. Send protests to: Transportation Assistant, ICC—219 S. Dearborn St. Rm 1386, Chicago, IL 60604.

MC 107515 (Sub-1302TA), filed December 7, 1979. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, GA 30050. Representative: Alan E. Serby, 3390 Peachtree Road, N.E., 5th Floor, Lenox Towers South, Atlanta, GA 30326. *Refined sugar,* from Gramercy, LA to points in the U.S. in and east of ND, SD, NE, KS, OK, and TX for 180 days. Supporting shipper: Colonial Sugars, A Division of Borden, Inc., 180 E. Broad, Columbus, OH 43215. Send protests to: Sara K. Davis, ICC, 1252 W. Peachtree St., N.W., Rm. 300, Atlanta, GA 30309.

MC 107515 (Sub-1309TA), filed December 4, 1979. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, GA 30050. Representative: Alan E. Serby, 3390 Peachtree Road, N.E., 5th Floor, Lenox Towers South, Atlanta, GA 30326. *Molded plastic cabinetry and parts* from the facilities of Mulay Plastics of Holly Springs, Inc. at or near Holly Springs, MS to San Diego, CA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Mulay Plastics of Holly Springs, Inc., P.O. Box 730, Holly Springs, MS 38635. Send protests to: Sara K. Davis, ICC, 1252 W. Peachtree St., N.W., Rm. 300, Atlanta, GA 30309.

MC 107515 (Sub-1313TA), filed December 13, 1979. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, GA 30050. Representative: Alan E. Serby, 3390 Peachtree Road, N.E., 5th Floor, Lenox Towers South, Atlanta, GA 30326. *Flour, in bags,* from Winston-Salem, NC to the facilities of Tennessee Doughnut Co., at or near Nashville, TN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Tennessee Doughnut Corp., 2975 Armory Dr., Nashville, TN 37204. Send protests to: Sara K. Davis, ICC, 1252 W. Peachtree St., N.W., Rm. 300, Atlanta, GA 30309.

MC 112304 (Sub-228TA), filed December 3, 1979. Applicant: ACE DORAN HAULING & RIGGING CO., 1601 Blue Rock St., Cincinnati, OH 45223. Representative: John D. Herbert (same as applicant). (1) *Metal articles* and (2) *equipment, materials and supplies (except in bulk) used in the manufacture and distribution of items in (1) above,* (1) from the facilities of Lukens Steel Company, at or near Coatesville and Conshohocken (Plymouth Township), PA, to points in CO, MN, WV, and MS, and (2) in the reverse direction, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Lukens Steel Company, Coatesville, PA 19320. Send protests to: ICC, Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 112304 (Sub-231TA), filed December 6, 1979. Applicant: ACE DORAN HAULING & RIGGING CO., 1601 Blue Rock St., Cincinnati, OH 45223. Representative: John D. Herbert (same address as applicant). *Iron and Steel articles,* from the facilities of Parker Steel Co., at or near Andrews, SC to points in NE, KS, CO, OK and TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Parker Steel Co., 4239-41 Monroe St., Toledo, OH 43606. Send protests to: ICC, Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 113624 (Sub-85TA), filed December 14, 1979. Applicant: WARD TRANSPORT, INC., P.O. Box 100, Commerce City, CO 80037. Representative: Leslie R. Kehl, 1600 Lincoln Center, Denver, CO 80264. *Liquefied Petroleum Base,* from (1) Clay Center and McPherson, KS and Kearney, MO to points in IA, MN, NE, ND & SD; and (2) from Geneva, NE to points in IA, MN, ND, & SD, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Land O'Lakes, Inc., 2827 8th Avenue South, Fort Dodge, IA 50501. Send protests to: District Supervisor H.C. Ruoff, 492 U.S. Customs House, 721 19th Street, Denver, CO 80202.

MC 114194 (Sub-214TA), filed November 16, 1979. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, IL 62201. Representative: R. C. Kizer (same address as applicant). *Liquid pineapple juice, in bulk, in tank vehicles,* from San Antonio, TX, to Geneva, IN for 180 days. Supporting shipper: International Pineapple Co., San Antonio, TX, Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 115654 (Sub-178TA), filed December 6, 1979. Applicant: TENNESSEE CARTAGE CO., INC., P.O. Box 23193, Nashville, TN 37202. Representative: Henry E. Seaton, 929 Pennsylvania Building, 425 Thirteenth St., NW., Washington, DC 20004. *Magazines,* from the facilities of Baird-Ward Printing Company at Nashville, TN to Detroit, MI and its commercial zone, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Baird-Ward Printing Co., P.O. Box 539, Nashville, TN 37202. Send protests to: Glenda Kuss, TA, ICC, A–422 U.S. Court House, 801 Broadway, Nashville, TN 37203.

MC 115654 (Sub-179TA), filed December 6, 1979. Applicant: TENNESSEE CARTAGE CO., INC., P.O. Box 23193, Nashville, TN 37202. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425 Thirteenth St., NW., Washington, DC 20004. *Pipe covering, rust preventative pipeline coating, and materials, supplies and equipment used in the manufacture of same,* between the facilities of The Kendall Company at Franklin, KY, on the one hand, and, on the other, points in LA, for 180 days. Supporting shipper: The Kendall Company, One Federal St., Boston, MA 02101. Send protests to: Glenda Kuss, TA, ICC, A–422 U.S. Court House, 801 Broadway, Nashville, TN 37203.

MC 115654 (Sub-186TA), filed December 19, 1979. Applicant: TENNESSEE CARTAGE CO., INC., P.O. Box 23193, Nashville, TN 37202. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425 Thirteenth St., NW., Washington, DC 20004. *Confectionery and confectionery products,* from the facilities utilized by Charms Company at or near Covington, TN to points in AL, AR, GA, IL, IN, LA, MO, MS, and Kansas City, KS, for 180 days. Supporting shipper: Charms Co., Halls Mill Rd., Freehold, NJ 07728. Send protests to: Glenda Kuss, TA, ICC, Suite A–422 U.S. Court House, 801 Broadway, Nashville, TN 37203.

MC 115865 (Sub-5TA), filed December 4, 1979. Applicant: QUIMBY

TRUCKING, INC., P.O. Box 807, Hermiston, OR 97838. Representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Avenue, Portland, OR 97210, 503–226–3755. *Meat meal and bone meal,* in bulk, from the facilities of Iowa Beef Processors at or near Wallula, WA to points in Yamhill, Polk, Jackson, Marion, Clackamas, and Multnomah Counties, OR for 180 days. Supporting shipper: H. J. Stoll & Sons, Inc., 2320 S.E. Grand Avenue, Portland, OR 97214. Send protests to: R. V. Dubay, DS, ICC, 114 Pioneer Courthouse, 555 S.W. Yamhill Street, Portland, OR 97204.

MC 116474 (Sub-47TA), filed December 12, 1979. Applicant: LEAVITT'S FREIGHT SERVICE, INC., 3855 Marcola Road, Springfield, OR 97477. Representative: Douglas Leavitt, 3855 Marcola Road, Springfield, OR 97477, 503–747–4236. *Treated poles and piling,* under contract with J. H. Baxter & Company, from the facilities of J. H. Baxter and Company at Eugene, Oregon and The Dalles, Oregon, to points in Idaho for 180 days. Supporting shipper: J. H. Baxter & Company, 1700 So. El Camino Real, San Mateo, CA 94402. Send protests to: A. E. Odoms, DS, ICC, 114 Pioneer Courthouse, 555 S.W. Yamhill Street, Portland, OR.

MC 116254 (Sub-302TA), filed November 14, 1979. Applicant: CHEM-HAULERS, INC., 118 East Mobile Plaza, Florence, AL 35630. Representative: M. D. Miller, (address same as applicant). *Plastic pipe and fittings,* from Spartanburg, SC, to points in CT, DE, FL, GA, IL, IA, LA, MD, MA, MI, NJ, NC, OH, PA, SC, (for export), TN, TX, VA, NY, WI, and NY, for 180 days. Supporting shipper: Ameron, Corrosion Resistant Piping Division, P.O. Box 5723, Spartanburg, SC 29301. Send protests to: Mabel E. Holston, TA, ICC, Room 1616, 2121 Bldg., Birmingham, AL 35203.

MC 116254 (Sub-303TA), filed December 11, 1979. Applicant: CHEM-HAULERS, INC., 118 East Mobile Plaza, Florence, AL 35630. Representative: M. D. Miller, (address same as applicant). *Titanium Dioxide Slurry, in bulk, in tank vehicles,* from the facilities of E. I. DuPont De Nemours Company at new Johnsonville, TN to points in MO and WV, for 180 days. Supporting shipper: E. I. du Pont de Nemours & Co., Inc., 1007 Market St., Wilmington, DE 19898. Send protests to: Mabel E. Holston, TA, ICC, Room 1616, 2121 Bldg., Birmingham, AL 35203.

MC 116544 (Sub-194TA), filed December 3, 1979. Applicant: ALTRUK FREIGHT SYSTEMS INC., 1703 Embarcadero Rd., Palo Alto, CA 94303. Representative: R. G. Lougee, P.O. Box 10061, Palo Alto, CA 94303. (1) such merchandise as is dealt in by wholesale, retail, chain grocery and food business houses and agricultural feed business houses, and (2) materials, ingredients, equipment and supplies used in the development, manufacture, distribution and sale of the items in (1) above (except commodities in bulk); between points in AZ, CA, CO, NM and TX. Restricted to shipments originating at or destined to facilities used by Ralston Purina Company. Supporting shipper: Ralston Purina Company, Checkerboard Square, St. Louis, MO 63188. Send protests to: D/S Neil C. Foster, 211 Main, Suite 500, San Francisco, CA 94105.

MC 116544 (Sub-195TA), filed December 3, 1979. Applicant: ALTRUK FREIGHT SYSTEMS INC., 1703 Embarcadero Rd., Palo Alto, CA 94303. Representative: R. G. Lougee, P.O. Box 10061, Palo Alto, CA 94303. Such commodities as are dealt in or used by manufacturers and distributors of sound, communications, educational and entertainment materials, except commodities in bulk; between Los Angeles, CA, San Jose, CA, Santa Clara, CA, Santa Maria, CA or Terre Haute, IN, on the one hand, and, on the other, Danbury, CT, West Haven, CT, Terre Haute, IN, Worcester, MA, Hawthorne, NJ or Pitman, NJ including the commercial zones of each city for 180 days. An underlying ETA seeks 90 days authority. Service may be restricted to shipments originating at or destined to the facilities of CBS Records. Supporting shipper: CBS Records, Divison of CBS Inc., 51 W. 52nd St., N.Y. 10001. Send protests to: D/S Neil C. Foster, 211 Main, Suite 500, San Francisco, CA 94105.

MC 116544 (Sub-196TA), filed December 17, 1979. Applicant: ALTRUK FREIGHT SYSTEMS, INC., 1703 Embarcadero Rd., Palo Alto, CA 94303. Representative: R. G. Lougee, P.O. Box 10061, Palo Alto, CA 94303. *Meats, meat products, meat by-products and articles distributed by meat packing houses* as described in Section A and C of Appendix to the reports and descriptions in Motor Carrier Certificates, 60 MCC 209 and 766 (except commodities in bulk, and hides) from the facilities of MBPLX, Inc., near Friona, TX, and Planview, TX to AZ, CA, NV, OR, and WA for 180 days. Supporting Shipper(s): MBPXL, P.O. Box 2519, Wichita, KS 67201. Send protests to: D/S N. C. Foster, 211 Main, Suite 500, San Francisco, CA 94105.

MC 117685 (Sub-2TA), filed December 17, 1979. Applicant: CONSOLIDATED TRUCK SERVICE, INC., One Scout Avenue, South Kearny, NJ 07032. Representative: Thomas J. Beener, One State Street Plaza, New York, NY 10004. *Coffee* (1) from the Port of New York, NY to New Orleans, LA and (2) from New Orleans, LA to Chicago, IL; Miami, FL; Springfield, IL and New York, NY for 180 days. Supporting Shipper(s): Wechsler Coffee Corporation, 120 Wall Street, New York, NY 10005. Send protests to: Robert E. Johnston, DS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 119234 (Sub-5TA), filed December 2, 1979. Applicant: MERCER MARINE TRANSIT CORP., P.O. Box 368, Belwood Rd., Calhoun, GA 31701. Representative: K. Edward Wolcott, P.O. Box 56387, Atlanta, GA 30343. *Truck transit mixers* from the facilities of Challenge-Cook Bros. of Georgia, Inc., at or near Calhoun, GA to Tampa and Miami, FL for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Challenge-Cooke Bros. of Georgia, Inc., P.O. Box 1025, Calhoun, GA 30701. Send protests to: Sara K. Davis, ICC, 1252 W. Peachtree St., N.W., Rm. 300, Atlanta, GA 30309.

MC 119634 (Sub-45TA), filed December 5, 1979. Applicant: DICK IRVIN, INC., P.O. Box F, Shelby, MT 59474. Representative: Mark A. Cole (same as applicant). *Agricultural chemicals,* in containers, from Des Moines, IA and Kansas City, KS to Great Falls, MT; Minot, ND; Spokane, Moses Lake, and Walla Walla, WA; Portland and Umatilla, OR and Caldwell, ID, for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Wilbur Ellis Company, P.O. Box 1627, Great Falls, MT 59401. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 119974 (Sub-232TA), filed December 3, 1979. Applicant: L. C. L. TRANSIT COMPANY, 949 Advance Street, Green Bay, WI 54304. Representative: L. F. Abel, P.O. Box 949, Green Bay, WI 54305. (*a*) *Pet Food Mix* (*except in bulk*) *and* (*b*) *Hog and Pig Skins and Trimmings, Commodities in* (*a*) *above,* from the facilities of Geo. A. Hormel & Co. at Davenport, IA, to all points in IL, KS, MN, MO, NE, SD, and WI; *and Commodities in* (*b*) *above* from points in Nebraska to the facilities of Geo. A. Hormel & Co. at Davenport, IA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Geo. A. Hormel & Co., P.O. Box 800, Austin, MN 55912. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 121664 (Sub-104TA), filed November 20, 1979. Applicant: HORNADY TRUCK LINE, INC., P.O. Box 846, Monroeville, AL 36460. Representative: W. E. Grant, 1702 1st

Avenue South, Birmingham, AL 35233. *Treated poles, piling, posts, and lumber,* from Pineville and Alexandria, LA to points on and east of the Mississippi River, for 180 days. Supporting shipper(s): Colfax Creosoting Company, Inc., P.O. Box 231, Pineville, LA 71360. Send protests to: Mabel E. Holston, TA, I.C.C., Room 1616 2121 Bldg., Birmingham, AL 35203.

MC 121664 (Sub-105TA), filed November 13, 1979. Applicant: HORNADY TRUCK LINE, INC., P.O. Box 846, Monroeville, AL 36460. Representative: W. E. Grant, 1702 1st Avenue South, Birmingham, AL 35233. *Plywood and lumber,* from Madison, GA, to points in IL, IN, OH, MI, KY, AL, AR, MO, FL, MS, LA, TX, MD, NC, SC, VA, WV, and TN, for 180 days. Supporting shipper(s): Woodkraft Division of Georgia-Kraft Inc., P.O. Box 2489, Peachtree, GA 30269. Send protests to: Mabel E. Holston, TA, I.C.C., Room 1616 2121 Bldg., Birmingham, AL 35203.

MC 121664 (Sub-106TA), filed December 17, 1979. Applicant: HORNADY TRUCK LINE, INC., P.O. Box 846, Monroeville, AL 36460. Representative: W. E. Grant, 1702 1st Ave. S., Birmingham, AL 35233. (1) *Doors, hardware, wood, glass, steel and fiberglass,* from Century, FL, to points in and east of ND, SD, CO, NE, and NM; and (2) *Materials and supplies,* from points in and east of ND, SD, CO, NE, and NM, to Century, FL, for 180 days. Supporting shipper(s): Jim Walter Doors, Inc., Box 335, Century, FL 32535. Send protests to: Mabel E. Holston, TA, I.C.C., Room 1616, 2121 Bldg., Birmingham, AL 35203.

MC 123744 (Sub-73TA), filed December 17, 1979. Applicant: BUTLER TRUCKING COMPANY, P.O. Box 88, Woodland, PA 16881. Representative: Dwight L. Koerber, Jr., 666 Eleventh St., NW., 805 McLachlen Bank Bldg., Washington, DC 20001. *Scrap metal,* from points in PA on and west of US Hwy 15 to Buffalo, NY and Hagerstown, MD, for 180 days. Supporting shipper(s): N and T Auto Salvage, Inc., P.O. Box 445, Philipsburg, PA 16866. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 123744 (Sub-74TA), filed November 5, 1979. Applicant: BUTLER TRUCKING COMPANY, P.O. Box 88, Woodland, PA 16881. Representative: E. Steward Butler (same as applicant). *Calcium aluminate cement,* from Chesapeake, VA to ports of entry on the international border between the U.S. and Canada in NY state, for 180 days. Supporting shipper(s): Lone Star LaFarge, 18 Kuger Executive Center, Suite 220, Norfolk, VA. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 124154 (Sub-100TA), filed December 6, 1979. Applicant: WINGATE TRUCKING COMPANY, INC., P.O. Box 645, Albany, GA 31702. Representative: W. D. Wingate (address same as applicant). *Boilers and boiler equipment, materials and supplies used in the manufacture thereof,* between Thomasville, GA, on the one hand, and, on the other, points in AL, CT, FL, IL, IN, KY, LA, MA, MS, MO, NJ, NY, OH, PA, SC, TN, TX, VA, WV, and WI for 180 days. An underlying seeks 90 days authority. Supporting shipper(s): Industrial Boiler Company, P.O. Drawer 2258, Thomasville, GA 31792. Send protests to: Jean King, TA, ICC, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

MC 124554 (Sub-40TA), filed December 12, 1979. Applicant: LANG CARTAGE CORP., P.O. Box 1465, Waukesha, WI 53187. Representative: RICHARD C. ALEXANDER, 710 N. Plankinton Ave., Milwaukee, WI 53203. *Such merchandise as is dealt in by retail department stores, except commodities in bulk,* from Wauwatosa, WI, to points in the Upper Peninsula of MI, and those in MN in and south of Clay, Becker, Hubbard, Cass, Aitkin, and St. Louis Counties, MN; Restricted to traffic originating at the facilities of J. C. Penney Company, Inc., at Wauwatosa, WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): J. C. Penney Company, Inc., Catalog Division, 11800 W. Burleigh St., Wauwatosa, WI 53222. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 126844 (Sub-87TA), filed December 14, 1979. Applicant: R.D.S. TRUCKING CO., INC., 1713 North Main Road, Vineland, NJ 08360. Representative: Kenneth F. Dudley, 1501 E. Main Street, P.O. Box 279, Ottumwa, IA 52501. *Frozen foods.* From Omaha, NE commercial zone to points in CT, DE, MD, MA, NJ, NH, NY, OH, PA, VT and VA for 180 days. Supporting shipper(s): Blue Star Foods, 1023–4th Street, Council Bluffs, IA 50501. Send protests to: District Supervisor, ICC, 744 Broad Street, Rm. 522, Newark, NJ 07102.

MC 128685 (Sub-36TA), filed December 13, 1979. Applicant: DIXON BROS., INC., P.O. Drawer 8, Newcastle, WY 82701. Representative: Floyd E. Archer, P.O. Box 1794, Sioux Falls, SD 57101. Coal treating oil, in bulk, in tank vehicles, from Billings, MT to Fort Union Coal Mine near Gillette, WY for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Fort Union Coal Mine, 2040 West Main Suite 213, Rapid City, SD 57701. Send protests to: District Supervisor Paul A. Naughton, Interstate Commerce Commission, Rm. 105 Federal Bldg. and Crt House, 111 South Wolcott, Casper, WY 82601.

MC 133655 (Sub-195TA), filed December 3, 1979. Applicant: TRANS-NATIONAL TRUCK, INC., P.O. Box 31300, Amarillo, TX 79120. Representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, WI 54306. *Such commodities as are dealt in, or used by, manufacturers and distributors of paint and paint products* between Somerset, MA on the one hand, and, on the other, Chicago, IL; Dallas, TX; Denver, CO; and points in LA, for 180 days. Supporting shipper(s): Parks, Inc., P.O. Box 5, Somerset, MA 02726. Send protests to: Opal Jones, TCS, ICC 9A27 Federal Bldg., 819 Taylor St., Ft. Worth, TX 76102.

MC 133965 (Sub-15TA), filed December 14, 1979. Applicant: CALZONA TRANSPORTATION, INC., P.O. Box 6558, Phoenix, AZ 85005. Representative: W. B. O'Morrow, same address as applicant. *Cottonseed oil, in bulk, in tank vehicles,* (1) from Calipatria, CA to Casa Grande, AZ and (2) from Casa Grande, AZ to points in Los Angeles and Orange Counties, CA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Casa Grande Oil Mill, P.O. Box 959, Casa Grande, AZ 85222. Send protests to: Ronald R. Mau, District Supervisor, 2020 Federal Bldg., 230 N. 1st Ave., Phoenix, AZ 85025. Supporting shipper(s): Casa Grande Oil Mill, P.O. Box 959, Casa Grande, AZ 85222. Send protests to: Ronald R. Mau, District Supervisor, 2020 Federal Bldg., 230 N. 1st Ave., Phoenix, AZ 85025.

MC 134064 (Sub-33TA), filed December 10, 1979. Applicant: INTERSTATE TRANSPORT, INC., 1600 Hwy 129 South, Gainesville, GA 30501. Representative: Charles M. Williams, 350 Capitol Life Center, 1600 Sherman St., Denver, CO 80203. *Such merchandise as is dealt in by retail, discount, department or variety stores, except commodities in bulk,* from points in AL, FL, GA, NC and SC to the facilities of Wal-Mart Stores, Inc., at or near Bentonville, Searcy, and Ft. Smith, AR for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Wal-Mart Stores, Inc., 702 Southwest 8th Street, P.O. Box 116, Bentonville, AR 72712. Send protests to: Sara K. Davis, ICC, 1252 W. Peachtree St., N.W., Rm. 300, Atlanta, GA 30309.

MC 134404 (Sub-58TA), filed December 12, 1979. Applicant: AMERICAN TRANS-FREIGHT, INC.,

P.O. Box 796, Manville, NJ 08835. Representative: Eugene M. Malkin, Suite 1832, 2 World Trade Center, New York, NY 10048. Contract carrier, irregular routes for 180 days. Insecticides, herbicides, pesticides, fertilizer and agricultural chemicals (except in bulk), and applicators therefor, between plants in the United States in and east of MN, IA, MO, AR and LA, restricted to shipments originating at or destined to the facilities utilized by Chevron Chemical Company of Perth Amboy, NJ under continuing contracts with Chevron Chemical Company. An underlying ETA seeks 90 days authority. Supporting shipper(s): Chevron Chemical Company, 1200 State Street, Perth Amboy, NJ 08861. Send protests to: Irwin Rosen, TS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 134405 (Sub-92TA), filed December 10, 1979. Applicant: BACON TRANSPORT COMPANY, P.O. Box 1134, Ardmore, OK 73401. Representative: Wilburn L. Williamson, 615-East, The Oil Center, 2601 Northwest Expressway, Oklahoma City, OK 73112. *Zinc*, in sealed bins, from Coffeyvill, KS to Ardmore, OK, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Uniroyal Corporation, Box 1867, Ardmore, OK 73401. Send protests to: Connie Stanley, ICC, Rm. 240, 215 N.W. 3rd, Oklahoma City, OK 73102.

MC 134775 (Sub-17TA), filed December 7, 1979. Applicant: GUNTER BROTHERS, INC., 19060 Frager Road, Kent, WA 98031. Representative: Henry C. Winters, 525 Evergreen Building, Renton, WA 98055. *Contract carrier*; irregular routes; *such commodities as are dealt in by wholesale grocery houses*, between points in AZ, CA, CO, ID, MT, NV, NM, OR, UT, WA and WY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Gil's Enterprises, Inc., 5605 Empire Way So., Seattle, WA 98118. Gill's Supply Co., 5605 Empire Way So., Seattle, WA 98118. Attilio Merlino & Assoc., 2822 Rainier Ave. So., Seattle, WA 98144. Beaumont-Hunter, Inc., P.O. Box 732, 300 120th N.W., Bellevue, WA 98009 Acme Volume Sales, 6276 Ellis Ave. So., Seattle, WA 98108. Send protests to: Shirley, M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 135115 (Sub-2TA), filed December 14, 1979. Applicant: BRAZEAU TRANSPORT, INC., 6600 Chemin Street-Francois, Ville St Laurent, Quebeck, Canada H4S 1B7. Representative: Edward L. Nehez, P.O. Box 1409, 167 Fairfield Road, Fairfield, NJ 07006. *Fibreboard emulsion, in bulk, in tank vehicles*, from the ports of entry on the International Boundary Line between the United States and Canada to Lisbon Falls, ME, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Flintkote Co. of Canada Ltd., 410 McCaffrey, Montreal, Quebec, Canada. Send protests to: Carol A. Perry, TA, ICC, P.O. Box 548, Montpelier, VT 05602.

MC 135605 (Sub-10TA), filed December 17, 1979. Applicant: WILKINSON TRANSPORT, INC., P.O. Box 25, Barton, Arkansas 72312. Representative: R. Connor Wiggins, Jr., Suite 909, 100 North Main Building, Memphis, Tennessee 38103. *Agricultural fertilizers and chemicals and products, materials and supplies used in the manufacture and sale thereof* from Ringwood, Illinois to all points in CT, FL, KY, MA, MI, NJ, NY, PA, and TN for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Nor-Am Agricultural Products, Inc., 350 West Shuman, Naperville, Illinois 60540. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 136315 (Sub-101TA), filed December 13, 1979. Applicant: OLEN BURRAGE TRUCKING, INC., P.O. Box 22628, Jackson, MS 39205. Representative: Fred W. Johnson, Jr., P.O. Box 22628, Jackson, MS 39205. *Concrete roofing tile and accessories* from the facilities of National Tile Industries, Inc., located in Pottawatomie County, OK to points in AR, IL, IN, KS, LA, MS, MO, NC, OH, TN and TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): National Tile Industries, Inc., 706 W. Independence, Shawnee, OK. Send protests to: Alan Tarrant, D/S, ICC, Fed. Bldg., Suite 1441, 100 W. Capitol St., Jackson, MS 39201.

MC 136605 (Sub-139TA), filed December 14, 1979. Applicant: DAVIS BROS. DIST., INC., P.O. Box 8058, Missoula, MT 59807. Representative: Allen P. Felton (same address as applicant). *Brick refractories* from Sherrodsville, OH to points at or near Polson, MT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Refab Industries, Inc., P.O. Box 212, Linn St., Sherrodsville, OH 44675. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 136605 (Sub-140TA), filed December 13, 1979. Applicant: DAVIS BROS. DIST., INC., P.O. Box 8058, Missoula, MT 59807. Representative: Allen P. Felton (same address as applicant). (1) *Iron and steel articles*, and (2) *Steel buildings, KD; parts, components and accessories* used in the manufacture or distribution thereof, from the facilities of Soule Steel Company located in Los Angeles County, CA to points in MT, WY, CO, NM, AZ, NV, ID, OR, WA and UT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Soule Steel Company, 1910 Olympic Blvd., Drawer SS, Walnut Creek, CA 94596. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 138875 (Sub-257TA), filed December 10, 1979. Applicant: SHOEMAKER TRUCKING COMPANY, 11900 Franklin Road, Boise, ID 83705. Representative: F. L. Sigloh (same as above). *Chemicals, except in bulk*, from points in the United States to the facilities used by McKesson Chemical Co. located in AZ, CA, CO, ID, MT, NV, OR, UT, WA & WY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Foremost-McKesson, Inc., Crocker Plaza, One Post Street, San Francisco, CA 94104. Send protests to: Barney L. Hardin, D/S, ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.

MC 138875 (Sub-258TA), filed December 14, 1979. Applicant: SHOEMAKER TRUCKING COMPANY, 11900 Franklin Road, Boise, ID 83705. Representative: F. L. Sigloh (same as above). *Lawn and garden equipment*, from Willard, OH to Twin Falls & Caldwell, ID; Island City and Ontario, OR, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): D & B Supply Co., Inc., 3816 Cleveland Ave., Caldwell, ID 83605. Send protests to: Barney L. Hardin, D/S, ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.

MC 138875 (Sub-259TA), filed December 14, 1979. Applicant: SHOEMAKER TRUCKING COMPANY, 11900 Franklin Road, Boise, ID 83705. Representative: F. L. Sigloh (same as above). *China toilets, except commodities in bulk*, from Sherman, TX to Woodland, CA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Lawton-Scharf, 9500 Koger Blvd., Suite 100, St. Petersburg, FL 33702. Send protests to: Barney L. Hardin, D/S, ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.

MC 138875 (Sub-260TA), filed December 17, 1979. Applicant: SHOEMAKER TRUCKING COMPANY, 11900 Franklin Road, Boise, ID 83705. Representative: F. L. Sigloh (same as above). *Doors, door hardware and accessories*, from Mason City, IA to Boise, ID, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Hardware Sales & Service, Inc., 1961 Commerce Ave., Boise, ID

83705. Send protests to: Barney L. Hardin, D/S, ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.

MC 138875 (Sub-261TA), filed December 7, 1979. Applicant: SHOEMAKER TRUCKING COMPANY, 11900 Franklin Road, Boise, ID 83705. Representative: F. L. Sigloh (same as above). *Such products as are dealt in by wholesale and retail drug and discount stores, except commodities, in bulk,* between points in the United States and the facilities of Valu-Rite Pharmacies, Inc., a Subsidiary of Foremost-McKeasson, Inc. located in City of Commerce, Los Angeles, Orange and Santa Ana, CA; Denver, CO; Smyrna, GA; Bedford Park, IL; Albany, NY; Grand Prairie, TX; Portland, OR and their respective commercial zones, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Valu-Rite Pharmacies, Inc. Foremost-McKesson, Inc., Crocker Plaza, One Post Street, San Francisco, CA 94104. Send protests to: Barney L. Hardin, D/S. ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.

MC 139244 (Sub-5TA), filed November 7, 1979. Applicant: TRUCKING SERVICE, INC., P.O. Box 229, Carlinville, IL 62626. Representative: Michael W. O'Hara, 300 Reisch Building, Springfield, IL 62701. *Contract carrier:* irregular routes: *Bacon for the account of Kretschmar Brands, Inc.,* from Pittsburg, KS to Denver, CO and Seattle, WA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Kretschmar Brands, Inc., P.O. Box 358–1220 Fourth Street, Pittsburg, KS 66762. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 139495 (Sub-504TA), filed December 7, 1979. Applicant: NATIONAL CARRIERS, INC., P.O. Box 1358, Liberal, KS 67901. Representative: Herbert Alan Dubin, 1320 Fenwick Lane, Silver Springs, MD 20910. *Meat, meat products, meat by-products, and articles distributed by meat packing houses,* from Palestine, TX, to points in Oklahoma City, OK; Hutchinson, and Liberal, KS; Springfield, MO; Philadelphia and Folcroft, PA; Conyers, GA; No. Baltimore, OH; Chicago, IL; and Cohose, NY. For 180 days, common, irregular route. Supporting shipper: Vernon Calhoun Packing Co., P.O. Box 709, Palestine, TX 75801. Send protests to: M. E. Taylor, D/S, ICC, 101 Litwin Bldg., Wichita, KS 67202.

MC 139495 (Sub-506TA), filed December 13, 1979. Applicant: NATIONAL CARRIERS, INC., P.O. Box 1358, Liberal, KS 67901. Representative: Herbert Alan Dubin, 1320 Fenwick Lane, Silver Springs, MD 20910. *Such commodities as are dealt in by manufacturers and distributors of nutritional supplements and health foods,* between Orange County, CA, on the one hand, and points in WA and OR, on the other; and between points in Orange County, CA, on the one hand, and points east of WY, MT, CO, and NM, on the other. For 180 days, common, irregular. Supporting shipper: Plus Products, Inc., 2681 Kelvin Ave., Irvine, CA 92714. Send protests to: M. E. Taylor, D/S, ICC, 101 Litwin Bldg., Wichita, KS 67202.

MC 139495 (Sub-508TA), filed December 7, 1979. Applicant: NATIONAL CARRIERS, INC., P.O. Box 1358, Liberal, KS 67901. Representative: Herbert Alan Dubin, 1320 Fenwick Lane, Silver Springs, MD 20910. *Pipe, pipe fittings, castings, water and valve boxes, and accessories,* from facilities of Central Foundry, Holt, AL, to Cincinnati and Cleves, OH. For 180 days, common, irregular. Supporting shipper: The Central Foundry, P.O. Box 188, Holt, AL 35404. Send protests to: M. E. Taylor, D/S, ICC, 101 Litwin Bldg., Wichita, KS 67202.

MC 139495 (Sub-510TA), filed December 4, 1979. Applicant: NATIONAL CARRIERS, INC., P.O. Box 1358, Liberal, KS 67901. Representative: Herbert Alan Dubin, Attorney, 1320 Fenwick Lane, Silver Springs, MD 20910. *Pet supplies, floor and rug cleaning machines, and related cleaning compounds and soap, ground clay,* from facilities of Hartz Mountain Corporation, Wrens, GA; Harrison, Jersey City, and Bloomfield, NJ; to points in the US, except AL and HI; common, irregular; 180 days; Supporting shipper: Hartz Mountain Corporation, 700 So. Fourth St., Harrison, NJ 07029. Send protests to: M. E. Taylor, D/S, ICC, 101 Litwin Bldg., Wichita, KS 67202.

MC 140375 (Sub-2TA), filed December 14, 1979. Applicant: JANSEN TRANSPORTATION CO., INC., 13327 East Temple Avenue, La Puente, CA 91746. Representative: R. Y. Schureman, 1545 Wilshire Boulevard, Los Angeles, CA 90017. *Contract;* Irregular; *Corrugated containers,* from the facilities of Fruit Growers Supply Company in Ontario, California to points in Yuma County, Arizona, restricted to service performed under contract with said shipper, for 180 days. An underlying ETA seeks up to 180 days operating authority. Supporting shipper(s): Fruit Growers Supply Company, Vice President, 14130 Riverside Dr., Sherman Oaks, CA 91403. Send protests to: Irene Carlos, TA, ICC, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 140645 (Sub-14TA), filed December 13, 1979. Applicant: UNITED TRUCKING, INC., 100 Stoffel Dr., Tallapoosa, GA 30176. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328. *Contract carrier:* irregular routes: (a) *Buffing, polishing, cleaning, scouring, and washing compounds, solvents, starch, bleach, lubricating oils, carbon gum and sludge removing compounds, disinfectant, softeners and sizings, janitorial supplies and equipment, insecticides and pesticides (except in bulk);* from Kankakee, Momence, and Danville, IL; Piscataway, Metuchen, and Clarksville, NJ; Atlanta, GA; Santa Fe Springs, CA; Berkley, RI; Memphis, TN; and Maulding and Greenville, SC; to points in the US; and (b) *machinery, materials and supplies used in the manufacture and distribution of the commodities named in (a) above (except in bulk);* from points in the US to points named as origins in (a) above for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Texize Division of Morton-Norwich Products, Inc., P.O. Box 368, Greenville, SC 29602. Send protests to: Sara K. Davis, ICC, 1252 W. Peachtree St., N.W., Rm. 300, Atlanta, GA 30309

MC 141245 (Sub-16TA), filed December 14, 1979. Applicant: BARRET TRUCKING COMPANY, INC., 16 Austin Drive, Burlington, VT 05401. Representative: Brian L. Troiano, 918, 16th Street NW., Washington, DC 20006. *Malt beverages,* from Winston-Salem, NC to points in VT, and *empty malt beverage containers* in the reverse direction, for 180 days. An underlying ETA seeks 90 days operating authority. Supporting Shipper(s): Twin State Fruit Corporation, P.O. Drawer 547, White River Junction, VT 05001; Champion Valley Fruit Co., Inc., 237 South Champlain Street, Burlington, VT 05401; Green Mountain Dist. Corp., 1st Street, Rutland, VT 05701; Calmont Beverage Co., Inc., 21 South Main Street, Barre, VT 05641. Send protests to: Carol A. Perry, TA, ICC, P.O. Box 548, Montpelier, VT 05602.

MC 141804 (Sub-293TA), filed December 6, 1979. Applicant: WESTERN EXPRESS, P.O. Box 3488, Ontario, CA 91761. Representative: Frederick J. Coffman, (same address as above). *Paper and paper products and commodities dealt in and used by paper manufacturing companies,* from the facilities of Nicolet Paper Co. at or near DePere, WI to points in TX, CA, WA and OR, for 180 days. An underlying ETA seeks up to 90 days operating

authority. Supporting Shipper(s): Nicolet Paper Company, Director of Purchasing & Traffic, Maine Avenue, DePere, WI 54115. Send protests to: Irene Carlos, TA, ICC, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 141804 (Sub-301TA), filed December 11, 1979. Applicant: WESTERN EXPRESS, DIVISION OF INTERSTATE RENTAL, INC., P.O. Box 3488, Ontario, CA 91761. Representative: Frederick J. Coffman, P.O. Box 3488, Ontario, CA 91761. *Paper and paper labels, corrugated boxes and related equipment, materials and supplies,* from Los Angeles County, CA to Brazil, IN. Restricted to traffic originating at the facilities of National Printing Converters, Inc., for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting Shipper(s): National Printing Converters, Inc., 7722 Densmore Avenue, Van Nuys, CA 91406. Send protests to: Irene Carlos, TA, Interstate Commerce Commission, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 141804 (Sub-304TA), filed December 6, 1979. Applicant: WESTERN EXPRESS, P.O. Box 3488, Ontario, CA 91761. Representative: Frederick J. Coffman, P.O. Box 3488, Ontario, CA 91761. *Electronic equipment, parts and accessories used in the manufacture and operation there of,* from El Paso, TX to Sunnyvale, CA, Wheeling, IL, and Edicon, NJ, and their respective commercial zones, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): Atari, Inc., Traffic Manager, 390 Caribbean Drive, Sunnyvale, CA 94086. Send protests to: Irene Carlos, TA, ICC, Room 1321, Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012

MC 141955 (Sub-4TA), filed December 3, 1979. Applicant: SECURITY FREIGHT LINES, INC., 7971 N.W. 76th Ave., Miami, FL 33166. Representative: Gerard J. Donovan, 4791 S.W. 82nd Ave., Davie, FL 33328. Contract carrier—Irregular route: *General commodities,* (except those in bulk, those injurious to other commodities, explosives, cement and foodstuffs) between points and places in the counties of Dade, Broward and Palm Beach, FL, and those points and places confined to the areas of all airports and steamship docks located in the same counties on shipments that have a prior and/or subsequent movement by air and/or water for 180 days. An underlying ETA seeks 90 days authority. NOTE: Applicant does intends to tack this authority. Supporting shipper(s): (1) Hemisphere Warehouse, Inc., 7971 N.W. 76th Ave., Miami, FL 33166; (2) Security Forwarding Service, Inc., 7971 N.W. 79th Ave., Miami, FL 33166; (3) Inter-American Express, Inc., 7971 N.W. 76th Ave., Miami, FL 33166. Send protests to: Donna M. Jones, T/A, ICC–BOp, Monterey Bldg., Suite 101, 8410 N.W. 53rd Ter., Miami, FL 33166.

MC 142715 (Sub-85TA), filed December 12, 1979. Applicant: LENERTZ, INC., P.O. Box 479, South St. Paul, MN 55075. Representative: K. O. Petrick, P.O. Box 479, South St. Paul, MN 55075. *Such commodities as dealt in by distributors of foundry materials and supplies,* from Gary, IN; Danville, IL; Chicago, IL; Indianapolis, IN; and Cleveland, OH, to Minneapolis, MN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Rice Goundry Supplies, 4565 Wild Rice Drive NE., Wyoming, MN. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Chicago, IL 60604.

MC 144605 (Sub-9TA), filed December 3, 1979. Applicant: HOPPY LINES, INC., 420 Devonshire Drive, Brea, CA 92521. Representative: Miles L. Kavaller, Mandel & Kavaller, 315 South Beverly Drive, Suite 315, Beverly Hills, CA 90212. *Hydrocarbon resins, chlorinated paraffins, and solvents, except in bulk,* between Anaheim and Santa Fe Springs, CA, on the one hand, and, on the other, Neville Island, PA, restricted to traffic originating at or destined to the facilities of Neville Chemical Company, for 180 days. Supporting shipper(s): Neville Chemical Company, Vice President—Purchasing & Transportation, Neville Island, PA 15225. Send protests to: Irene Carlos, TA, ICC, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 144695 (Sub-4TA), filed December 12, 1979. Applicant: N. & S. TRUCKING, INC., Route 1, Francisco, IN 47649. Representative: Robert W. Loser II, 1101 Chamber of Commerce Bldg., Indianapolis, IN 46204. *Contract carrier:* irregular routes: *Sulfur and furnace carbon black, except in bulk,* from Freeport, TX and Cabot, LA to Evansville, IN. Restriction: The operations herein are restricted to services performed under a continuing contract or contracts with Ulrich Chemical Inc. for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Ulrich Chemical, Inc., 4219 N. Garrison, Evansville, IN. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 145035 (Sub-1TA), filed December 10, 1979. Applicant: B. J. MARSH d.b.a., MARSH TRAVEL, 532 E. Walnut, Springfield, MO 65806. Representative: Maxwell A. Howell, 1100 Investment Bldg., 1511 K Street NW., Washington, DC 20005. *Passengers* and their baggage, in special operations, in sightseeing and pleasure tours, between points in AL, AK, AZ, AR, CA, CO, DC, FL, GA, IL, IN, IA, KY, KS, LA, ME, MA, MI, MO, MT, NE, NV, NJ, NM, NY, ND, OH, OK, OR, PA, TN, TX, UT, VA, WA, and WY, restricted to the transportation of passengers in tour service originating at Sikeston, MO and points in Butler, Stoddard, Mississippi, Lawrence, Greene, and Christian Counties, MO, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): 31 supporting statements that can be viewed at Kansas City field office or in Washington, D.C. Send protests to: Vernon V. Coble, DS, ICC, Room 600, 911 Walnut St., Kansas City, MO 64106.

MC 145515 (Sub-9TA), filed December 17, 1979. Applicant: GREENE'S CARTAGE CO., INC., 1934 Avalon Avenue, Muscle Shoals, AL 35660. Representative: Robert E. Born, Suite 508, 1447 Peachtree Street NE., Atlanta, GA 30309. *Aluminum and aluminum articles,* over irregular routes, from Russellville, Muscle Shoals, and Sheffield, AL and their commercial zones to points in AR, FL, GA, IA, IL, IN, KY, LA, MD, MI, MN, MS, MO, NJ, NY, NC, OH, PA, SC, TN, TX, VA, WV and WI; and *Materials, equipment and supplies* used in the manufacture or distribution of Aluminum Articles from points in AR, FL, GA, IA, IL, IN, KY, LA, MD, MI, MN, MS, MO, NJ, NY, NC, OH, PA, SC, TN, TX, VA, WV and WI to Russellville, Muscle Shoals, and Sheffield, AL and their commercial zones for 180 days. An underlying ETA seeking 90 days authority has been filed. Supporting shipper(s): U.S. Reduction Co., 4610 Kennedy Avenue, East Chicago, IN 46312. Send protests to: Mabel E. Holston, Transportation Assistant, Interstate Commerce Commission, Suite 1616, 2121 Eighth Ave. North, Birmingham, AL 35203.

MC 145545 (Sub-4TA), filed December 10, 1979. Applicant: CENTURY REEFER SERVICE, INC., 8 Main St., Salisbury, MA 01950. Representative: Chester A. Zyblut, 1030 15th St. NW., 366 Executive Bldg., Washington, DC 20005. *Garden tractors and attachments,* from Bradley, IL to Buffalo and Albany, NY and Lancaster, NH for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Roper Corporation, Broadway & Schuyler, Bradley, IL 60915. Send protests to: ICC, Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 145855 (Sub-3TA), filed December 4, 1979. Applicant: JOHN RAY TRUCKING CO., INC., Hwy. 93, P.O. Box 206, Eastaboga, AL 36260. Representative: John W. Cooper, 200 Woodward Bldg., 1927 1st Ave. N., Birmingham, AL 35203. *Contract, irregular;* (1) *Pipe, pipe fittings and accessories,* from Anniston, AL, to points in the United States in and east of ND, SD, NE, KS, OK and TX; and (2) *Material, equipment and supplies,* from points in the United States in and east of ND, SD, NE, KS, OK and TX, to Anniston, AL, for 180 days. Supporting shipper(s): Southeastern Specialty Manufacturing Co., P.O. Drawer 204A, 1906 W. 13th St., Anniston, AL 36201. Send protests to: Mabel W. Holston, TA, I.C.C., Room 1616–2121 Bldg., Birmingham, AL 35203.

MC 146704 (Sub-6TA), filed November 28, 1979. Applicant: FALCON MOTOR TRANSPORT, INC., 1250 Kelly Ave., Akron, OH 44306. Representative: C. K. Woodring, 7650 Chippewa Rd., Brecksville, OH 44141. *Contract carrier:* irregular routes: *Plastic articles and accessories used in the floral industry,* between Kent, OH, on the one hand, and on the other, points in DE, CT, MA, NJ, NY, PA and RI, for 180 days. Supporting shipper(s): Smithers-Oasis Div., The Smithers Company, P.O. Box 118, Kent, OH 44240. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 147035 (Sub-4TA), filed December 10, 1979. Applicant: J. HOWARD LEASING, INC., 253 Southwest Cutoff, Worcester, MA 01604. Representative: James F. Martin, Jr., 8 West Morse Road, Bellingham, MA 02019. *Contract carrier:* irregular routes: *Frozen meat, in vehicles equipped with mechanical refrigeration,* from New York, NY, Newark, NJ; Wilmington, DE; and Philadelphia, PA, on the one hand, and, on the other, to points in ME, NH, VT, MA, RI and CT, for the account of A. J. Cunningham Packing, Inc., for 180 days, restricted to transportation having a prior movement by water. An underlying ETA seeks 90 days authority. Supporting shipper(s): A. J. Cunningham Packing, Inc., 1776 Heritage Drive, Quincy, MA 02171. Send protests to: David M. Miller, DS, ICC, 436 Dwight Street, Springfield, MA 01103.

MC 147145 (Sub-2TA), filed December 3, 1979. Applicant: JAMES R. ANDERSON, d.b.a., ANDERSON & SONS TRUCKING, CO., 1887 Deming Way, Sparks, NV 89431. Representative: James R. Anderson, Jr. (same as applicant). General commodities, except household goods, commodities of unusual value, commodities in bulk, commodities requiring special equipment and Classes A and B explosives between all points and places in the territory west of Lake Tahoe with boundaries as follows: on the east by the California-Nevada state boundary, and the west by the following highways: Interstate Hwy. 80 west from the California-Nevada border to California Hwy. 89, thence to U.S. Hwy. 50 to the California-Nevada border, and the additional points of Truckee, CA and Stateline, NV for 180 days. Supporting shipper(s): Wells Cargo, Inc., 1775 E. 4th, Reno, NV 89412; Yellow Forwarding Company, P.O. Box 11740, Reno, NV 89510; Milne Truck Lines, 100 Giroux Street, Reno, NV 89502. Send protests to: DS W. J. Huetig; I.C.C., 705 North Plaza Street, Carson City, NV 89701.

MC 147174 (Sub-1TA), filed December 10, 1979. Applicant: IDEAL HANGING CORP., 331 Tiffany Street, Bronx, NY. 10474. Representative: Kathleen A. Hogg, Esq., Shea & Gould, 330 Madison Avenue, New York, N.Y. 10017. *Contract carrier,* irregular routes; *Garments and fashion accessories, shipped hanging and in cartons,* between the applicant's facilities in The Bronx, NY, and stores owned or operated by Alexander's Inc., or its subsidiaries in The Bronx, Rego Park, White Plains, New York, Valley Stream, Brooklyn, Garden City, Flushing, Yonkers, Mohegan Lake, NY, Paramus, Menlo Park, Eatontown, NJ, and Milford, CT; for 180 days. Supporting Shipper(s): Alexander's, Inc., 31 West 34th St., New York, N.Y. 10001. Send protests to: Maria B. Kejss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

MC 147315 (Sub-2TA), filed December 10, 1979. Applicant: TRIWAYS, INC., 2455 East 27th Street, Los Angeles, CA 90058. Representative: William Davidson (same as above). *Contract:* Irregular; *in the transportation of garments on hangers, loose and/or blanket wrapped furniture alone or in mixed loads, with carpet, carpeting, draperies, rugs and/or other retail department store merchandise from retail store warehouses or distribution centers* to retail stores moving alone or in combination with sealed trailers of unitized loads of retail department store merchandise, Los Angeles, CA to Salt Lake City, UT, for 180 days. Supporting Shipper(s): Sears, Roebuck and Co., Regional Traffic Manager, 2650 E. Olympic Blvd., Los Angeles, CA 90051. Send protests to: Irene Carlos, TA, ICC, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles CA 90012.

MC 147774 (Sub-2TA), filed November 23, 1979. Applicant: SURE-WAY TRANSPORTATION, INC., 4000 I–70 Drive NW., Columbia, MO 65201. Representative: Peter A. Greene, 900, 17th Street NW., Washington, DC 20006. *Animal feed ingredients* from Minneapolis and Redwing, MN to Montgomery City, MO, for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Cargill, Inc., Box 129, Montgomery City, MO 63361. Send protests to: Vernon V. Coble, DS, ICC, 911 Walnut St., Kansas City, Mo. 64106

MC 148034 (Sub-1TA), filed August 27, 1979. Applicant: EDWARD C. LOTT, INC., 2338 Slaterville Road, Ithaca, NY 14850. Representative: S. Michael Richards/Raymond A. Richards, 44 North Ave., P.O. Box 225, Webster, NY 14580. Contract carrier-irregular routes. *Foodstuffs and animal feed, manufactured and/or distributed by Friendship Dairies, Inc. and related materials, supplies and equipment used in the manufacture, production, packaging, sale or distribution of the above commodities (except in bulk),* between Friendship, NY, on the one hand, and, on the other, all points in MA, PA, NJ, and New York City and its commercial zone, for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Friendship Dairies, Inc., 4900 Maspeth Ave., Queens, NY 11378. Send protests to: Anne C. Siler, TA, ICC, 910 Federal Bldg., 111 W. Huron St., Buffalo NY 14202.

MC 148585 (Sub-1TA), filed August 18, 1979. Applicant: CARAVAN MOTOR SERVICE, INC., 1800 Mannheim Rd., Westchester, IL 60153. Representative: Joel H. Steiner, Esq., 39 South LaSalle St., Chicago, IL 60603. *Iron and steel and iron and steel articles:* between Gary and East Chicago, IN on the one hand, and, on the other, points in Il for 180 days. An underlying ETA seeking up to 90 days of authority. Supporting Shipper(s): Summit Steel Corp., 125 Windsor Dr., Oak Brook, IL 60521. Whittaker Metals Corp., 4505 Euclid Ave., E. Chicago, IN 46312. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn St., Rm 1386, Chicago, IL 60604.

MC 148665 (Sub-1TA), filed October 4, 1979. Applicant: CFS CONTINENTAL TRANSPORTATION COMPANY, 2550 North Clybourn Avenue, Chicago, IL 60614. Representative: Leonard R. Kofkin, 39 South LaSalle Street, Chicago, IL 60614. Such commodities as are dealt in or used by grocers, restaurants and institutional food manufacturers and distributors (except commodities in bulk) (a) between the facilities of CFS

Continental, Inc., at Chicago, IL; Vernon CA; Carteret, NJ, and Indianapolis, IN, or at points within their respective commercial zones, on the one hand, and, on the other, points in the United States (except AK and HI), under a continuing contract with CFS Continental, Inc., (b) Between the facilities of Continental Coffee Company of Houston, Inc., at Houston, TX, on the one hand, and, on the other, all points in the United States (except AK and HI) under a continuing contract with Continental Coffee Company of Houston, Inc. (c) From points in IL, IN, IA, MN, WI and MI to the facilities of Continental Dayton, Inc., at Dayton, OH, under continuing contract with Continental Dayton, Inc. (d) From points in IN, IA, MN, WI, OH and MI to the facilities of Continental Decatur, Inc., at Decatur, IL under continuing contract with Continental Decatur, Inc. (e) From points in IL, MI, OH, MN, IA and WI to the facilities of Continental Indianapolis, Inc., at Indianapolis, IN under continuing contract with Continental Indianapolis, Inc. (f) From points in IL, IN, WI, MN, OH and MI to the facilities of Continental Iowa, Inc., at West Des Moines, IA under continuing contract with Continental Iowa, Inc. (g) From points in IL, IA, MN, OH, WI and IN to the facilities of Continental Michigan, Inc., at Detroit, MI under continuing contract with Continental Michigan, Inc. (h) From points in IL, IA, WI, OH, IN, MI and ND to the facilities of Continental Minnesota, Inc., at Golden Valley, MN, and from the facilities of Continental Minnesota, Inc. at Golden Valley, MN to Des Moines, IA and Fargo, ND under continuing contract with Continental Minnesota, Inc. (i) From Atlanta, GA and Momence, IL to the facilities of CFS Continental, Inc., at Montabello and San Francisco, CA and Portland, OR under continuing contract with CFS Continental, Inc. Supporting Shipper(s): There are nine supporting shippers. Each are subsidiaries of CFS Continental, Inc. Send protests to: Annie Booker, TA, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

Note.—Applicant and other contracting shippers are wholly-owned subsidiaries of CFS Continental, Inc.

MC 148764 (Sub-1TA), filed December 3, 1979. Applicant: MAR PAT TRANSPORTATION CORP., 2445 Allen Avenue, Niagara Falls, NY 14042. Representative: William J. Hirsch, Esq., 43 Court Street, Suite 1125, Buffalo, NY 14202. *Scrap metal, in bulk, in dump vehicles,* from Rochester, NY, to points in Alliance, OH, and Burnham, PA. Returned, refused and rejected shipments in the reverse direction, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Klein Metal Company, Inc., 11 Cairn Street, Rochester, NY 14611. Send protests to: Richard H. Cattadoris, D/S, ICC, 910 Federal Bldg., 111 West Huron Street, Buffalo, NY 14202.

MC 148775 (Sub-1TA), filed December 3, 1979. Applicant: ARNIE MAKEEFF d.b.a. MAKEEFF TRUCKING, 1347 Tillamack, Billings, MT 59101. Representative: Alma Bayne, 1025 Nutter Blvd., Billings, MT 59101. *Motor oils, lubricants, glycols, solvents, antifreeze,* and *methane alcohols* (except in bulk) from Portland, OR, Salt Lake City, UT, Omaha, NE, Chicago and Wood River, IL, on the one hand, and, on the other, to warehouse and storage locations in MT, WY and ND, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Cross Petroleum Service, 1818 Minnesota Ave., Billings, MT 59101. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 148795 (Sub-1TA), filed December 5, 1979. Applicant: REYNOLDS FEED & SEED, Box 38, Runge, TX 78151. Representative: David Reynolds (address same as applicant). *Sulfur products (except molten sulfur), in bulk, in tank or hopper type vehicles* from points in Ector County, TX to points in Ashley County, AR and East Baton Rouge, Jackson, Natchitoches and Allen Parishes, LA for 180 days. Underlying ETA for 90 days has been filed. Supporting shipper(s): Chemical Enterprises, Inc., 8582 Katy Freeway, Houston, TX 77024. Send protests to: Marianne Minnich, TCS, ICC, 9A27 Federal Bldg., 819 Taylor St., Ft. Worth, TX 76102.

MC 148814 (Sub-1TA), filed November 19, 1979. Applicant: NATIONAL TRAFFIC SERVICE, INC., 1706 196th SE., Bothell, WA 98011. Representative: Frank Wilson, 2828 Colby, Suite 400, Everett, WA 98201. (1) *Glass,* from the facilities of P.P.G. in Wichita Falls, TX and Crystal City, MO; the facilities of Ford Motor Company in Tulsa, OK to the facilities of Alpine Industries, Inc. and Pan-Lam, Inc., in Bothell, WA and House of Aluminum and Glass in Spokane, WA, (2) *Lumber and shakes,* from points in WA and OR to points in TX, OK and KS, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Alpine Industries, Inc., 1706 196th S.E., Bothell, WA 98011 Pan Lam, Inc., 1706 196th S.E., Bothell, WA 98011, Robinson Timber & Plywood, Inc., P.O. Box 840, Everett, WA 98206, Prestridge Wholesale Lumber, 11025 N.W. 113th, Yukon, OK. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 148824 (Sub-1TA), filed December 6, 1979. Applicant: CORRELL TRUCKING, INC., Rt. 1, Box 505, Newton, NC 28658. Representative: W. G. Reese, III, P.O. Box 3004, Charlotte, NC 28203. *New furniture, upholstery materials used in the manufacture thereof* between the facilities of Herman Chairs, Inc., Gannett Industries, Inc. and B & B Corp. located at or near Lenoir County, NC, on the one hand, and, on the other, points and places east of the Mississippi River, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Gannett Industries, Inc., P.O. Box 784, Troutman, NC, Herman Chairs, Inc., Rt. 3, Box 501–B, Hickory, NC 28601, Bunch Fabrics, P.O. Box 5434, Statesville, NC 28677. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd., Rm. CC516, Charlotte, NC 28205.

MC 148825 (Sub-1TA), filed December 7, 1979. Applicant: CHRISTY TRUCKING COMPANY, INC., Rt. 3, Box 241–A, Mocksville, NC 27028. Representative: Steven Michael Beaver (same as above). *Paint rollers, applicators and pans* from the facilities of Hansteck Corp. at or near Roanoke, VA to San Bernardino and Torrance, CA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Hansteck Corp., 201 Shenandoah Ave. NW., Roanoke, VA 24004. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd., Rm. CC516, Charlotte, NC 28205.

MC 148835 (Sub-1TA), filed November 29, 1979. Applicant: O.D. TRANSPORTERS, INC., 821 N. Vine, Harrison, AR 72601. Representative: Dempsey Luallen (same as applicant). Contract carrier, over irregular routes: *Fiberglass tanks, fiberglass parts and materials,* from Harrison, AR to all points in the Continental U.S., and return of *rejected commodities* to Harrison, AR, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper: Tankinetics, Inc., Industrial Park Rd., Harrison, AR 72601. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 148855 (Sub-1TA), filed December 3, 1979. Applicant: J. C. BROCK CORP., 95 Kentucky Street, Buffalo, NY 14202. Representative: Robert D. Gunderman, Esq., 710 Statler Bldg., Buffalo, NY 14202. *Bananas,* from Philadelphia, PA, Newark, NJ, and New York City, NY, to points in NY, OH and PA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Castle & Cooke Foods, 350 Motor Parkway, Suite 410, Hauppauge, NY 11787. Send

protests to: Richard H. Cattadoris, D/S, ICC, 910 Federal Bldg., 111 West Huron Street, Buffalo, NY 14202.

MC 148865 (Sub-1TA), filed December 13, 1979. Applicant: DISTRIBIX, INC., Drawer AB, Florissant, MO 63031. Representative: James F. Mauze, 7701 Forsyth, Suite 550, St. Louis, MO 63105. Contract irregular: Floor coverings and materials, vinyl, tile, roll goods, carpets, padding and adhesives in conjunction therewith (1) between Quincy, IL, on the one hand, and on the other, all points within the Counties of Schuyler, Scotland, Clark, Adair, Knox, Lewis, Livingston, Linn, Macon, Shelby, Marian, Chariton, Randolph, Monroe, Ralls, Audrain, Pike, Boone, Cole and Callaway, State of MO; (2) between Quincy, IL on the one hand, and, on the other, all points within the Counties of Lee, Des Moines, Henry, Van Buren, Jefferson and Louisa, State of IA; (3) between Decatur, IL on the one hand, and on the other, all points within the Counties of Parke and Clay, State of IN, and (4) between Peoria, IL on the one hand, and on the other, all points within the County of Scott, State of IA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Floorco, Inc., 5921 N. Galena Rd., Peoria, IL 61614. Send protests to: P. E. Binder, DS, ICC, Rm. 1465, 210 N. 12th St., St. Louis, MO 63101.

MC 148874 (Sub-1TA), filed December 7, 1979. Applicant: DELLY FOOD COMPANY, 17872 Cartwright Road, Irvine, CA 92705. Representative: Floyd L. Farano, 2555 E. Chapman Ave., Suite 705, Fullerton, CA 92631. *Contract:* Irregular: *Donut mix, flour, sugar, shortening, yeast, fruit filling, frozen and canned fruit juice, canned and packaged foodstuffs; Furniture, fixtures, supplies and equipment used in the establishment and operation of a donut house; and Used furniture, fixtures and equipment used in the operation of a donut house returned for refurbishing and repair,* from Winchell's Donut Houses located in the states of NM, CO, NE, IA, MO, TN, KS, OK, AR, LA, and MS to the distribution and shipping centers of Winchell's at Arlington, TX, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper: Winchell's Donut House, 14256 E. Firestone Blvd., La Mirada, CA. Send protests to: Irene Carlos, TA, ICC, Room 1321 Federal Bldg., 300 North Los Angeles St., Los Angeles, CA 90012.

MC 148895 (Sub-1TA), filed December 10, 1979. Applicant: ATS, INC., 4525 Ironton St., Denver, CO 80239. Representative: Wm. Fred Cantonwine, 6785 East 50th Ave., Suite 201, Commerce City, CO 80022. Contract irregular, *Aluminum Extrusions and Parts, and Scrap Aluminum,* between the facilities of Sun Valley Extrusion Co., Division of Darfield Industries, Inc., Denver, CO to points in CA, IL, KS, MO, NE and UT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Sun Valley Extrusion Company, Division of Darfield Industries, Inc., 4525 Ironton Street, Denver, CO 80239. Send protests to: H. Ruoff, 492 U.S. Customs House, Denver, CO 80202.

MC 148944TA, filed November 13, 1979. Applicant: REDDING LUMBER TRANSPORT, INC., 4161 Eastside Road, Redding, CA 96001. Representative: George LaBissoniere, 1100 Norton Building, Seattle, WA 98104, (206) 624-9522. *Contract carrier,* irregular routes: (1) *Bananas* and (2) *agricultural commodities exempt from regulation under Section 10526(a)(6) in mixed loads with bananas,* from Long Beach, San Pedro, Los Angeles and Wilmington, CA to Portland, OR, and its commercial zone, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): United Grocers, 6433 S.E. Lake Rd., Milwaukie, OR 97222, Castle and Cooke Foods, 25401 Cabot Rd., No. 212, Laguna Hills, CA 92653. Send protests to: A. J. Rodriquez, 211 Main Street, Suite 500, San Francisco, CA 94105.

MC 148974 (Sub-1TA), filed December 12, 1979. Applicant: LYNN R. WELLS and RUSSELL D. WELLS, a partnership d.b.a. KETTLE CREEK TRANSPORTATION, 12555 Herring Road, Black Forest, CO 80908. Representative: Lynn R. Wells (same address as applicant). Contract carrier: irregular routes: *Lumber, plywood, particleboard, hardboard, asphalt roofing* from Kamiah, Emmett, Kooskia, Lewiston and Grangeville, ID; Missoula, Columbia Falls, Kalispell, Darby and Fortine, MT; Sweet Home, Culp Creek, Lakeview, Roseburgh and Portland, OR; Tacoma, Arden, Longview and Bellingham, WA; Los Angeles, Anderson, Burney, McCloud, Oroville and Ft. Bragg, CA; Albuquerque, NM; New Orleans, LA; Galveston, Lubbock and Dallas, TX; St. Joseph, MO; Terre Haute, IN; Piketon and Millersburg, OH; Union City, PA; Cortland, NY; Oklahoma City and Tulsa, OK; Memphis, TN; Dalton, GA; Wayzata, MN; Goodman, WI; Dubuque, IA; Peking, IL; Mohawk and Newberry, MI; Concord, AR; Natchez, MS; Camden, AL, Robinsville, NC; Pamplico, SC; Winchester, VA; Kenova, WV; and London, CT to Black Forest, CO for 180 days. Underlying ETA filed seeking 90 days authority. Supporting shipper(s): Black Forest Lumber Co., 11424 Black Forest Road, Black Forest, CO 80908. Wellco Hardwoods, 12725 Herring Road, Black Forest, CO 80908. Send protests to: R. Buchanan, 492 U.S. Customs House, Denver, CO 80202.

MC 148995 (Sub-1TA), filed December 12, 1979. Applicant: CHAMBER TRANSPORT INC., 250 Freeman Street, Brooklyn, N.Y. 11222. Representative: Sidney J. Leshin, 575 Madison Avenue, New York, N.Y. 10022. Contract carrier: irregular routes: *Sugar,* between Brooklyn, NY, on the one hand, and, on the other, points and places in NJ, CT, NY, DE, RI, PA, MA, VA and DC. Supporting shipper: Revere Suggar Corp., 120 Wall St., New York, NY 10005. Send protests to: Maria B. Kejss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

MC 149004 (Sub-1TA), filed December 14, 1979. Applicant: WHITE BROS. INC., R.R. No. 1, Box 566, Oakwood Station, Hannibal, MO 63401. Representative: Thomas P. Rose, P.O. Box 205, Jefferson City, MO 65102. Contract irregular: (a) *Processed Oil,* in bulk in tank vehicles, from Tulsa, OK to Hannibal, MO. (b) *Carbon Black,* in containers, from Franklin and Ville Platt, LA to Hannibal, MO. (c) *Synthetic Rubber Crude,* from Beaumont, TX, Chicago, IL and Louisville, KY to Hannibal, MO, all under a contract with Huntington Rubber Company of Hannibal, MO, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper Huntington Rubber Company, P.O. Box 989, 5151 Industrial Drive, Hannibal, MO 63401. Send protests to: Vernon V. Coble, DS, ICC, Room 600, 911 Walnut St., Kansas City, MO 64106.

MC 149054 (Sub-1TA), filed November 30, 1979. Applicant: THOMAS OVERLAND EXPRESS, INC., P.O. Box 2251, Mobile, AL 36601. Representative: Frank D. Hall, Suite 713, 3384 Peachtree Road NE, Atlanta, GA 30326. *Lumber (except veneer), wooden tries and wooden poles,* between Mobile County, AL, and points in MS, LA and points in TX on and east of US Hwy. 281, for 180 days. Supporting shipper(s): Scott Paper Company, Scott Plaza, Philadelphia, PA 19113; Magnolia Forest Products, Inc., 5135 Galaxie Drive, Jackson, MS 39206; Gulf Lumber, P.O. Box 1663, Mobile, AL. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616, 2121 Building, Birmingham, AL 35203.

MC 149055 (Sub-1TA), filed December 12, 1979. Applicant: S. TRAUTNER TRANSPORT, INC., 56 Old Colony Road, Wellesley Hills, MA. 02181. Representative: George C. O'Brien, 12 Vernon Street, Norwood, MA 02062.

Ferrous and non-ferrous scrap metals and junk motor vehicles from Walpole and Brockton, MA to Providence, R.I. Supporting shipper(s): Walpole Scrap, Inc., Route 1A, Walpole, MA 02081; Olde English Metal Co., Brockton, MA. 02401. Send protests to: John B. Thomas, D/S, ICC, 150 Causeway Street, Boston, MA 02114.

MC 142443 (Sub-5TA), filed November 30, 1979. Applicant: HOLSTON BROTHERS, INC., 13711 Travilah Road, Rockville, MD 20850. Representative: Barry Roberts, 888 17th Street, N.W., Washington, D.C. 20006. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting (1) Landscape and garden supplies from points in PA, VA, NJ, MD, WV, NC, NY, VT, GA, OH, IN, CO, CA, NM, NH, ME and DE to points in NJ, DE, MD, WV, VA, DC and NC for the account of Landscape Products and Building Supplies, Inc., of Silver Spring, MD (2) Building supplies from points in OH and IN to points in NJ, DE, MD, WV, DC, and NC for the account of Landscape Products and Building Supplies, Inc., of Silver Spring, MD (3) Animal feed from Everson, PA and Lancaster, PA to Gaithersburg, MD for the account of Gaithersburg Farmers Supply, Inc., and (4) Agricultural, industrial and construction tractors, machinery and equipment from Richmond, VA to Gaithersburg, MD for the account of Gaithersburg Farmers Supply, Inc. Supporting shippers: Landscape Products and Building Supplies, Inc. of Silver Spring, MD; Gaithersburg Farmers Supply, Inc., Protests to be sent to: Bureau of Operations, Interstate Commerce Commission, Federal Reserve Bank Building, 101 North Seventh Street, Room 620, Philadelphia, PA 19106.

MC 3753 (Sub-24TA), filed December 20, 1979. Applicant: AAA TRUCKING CORPORATION, 3630 Quaker Bridge Road, Trenton, NJ 08619. Representative: Herbert Burstein, Esq., Zelby, Burstein, Hartman & Burstein, One World Trade Center, Suite 2373, New York, NY 10048. General commodities, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment. Between Washington, DC and points in its commercial zone on the one hand and points in DE and MD on the other, for 180 days. An underlying ETA seeks 90 days authority. Service is authorized to be tacked to existing authority held in Certificate MC–3753 and subs for 180 days. Supporting shipper(s): There are 18 supporting shippers to this application. They are on file at the Newark, NJ field office and Washington, DC. Send protests to: Irwin Rosen, T/S, ICC, 744 Broad St., Room 522, Newark, NJ 07102.

Notice No. 268

MC 127602 (Sub-21TA), filed March 19, 1979, published in the **Federal Register** May 1, 1979 and republished in this issue. Applicant: DENVER-MIDWEST MOTOR FREIGHT, INC., P.O. Box 996, Denver, CO 80201. Representative: Michael J. Ogborn, P.O. Box 82028, Lincoln, NE 68501. By decision dated September 7, 1979, the Motor Carrier Board granted applicant 180 days temporary authority. The **Federal Register** publication of May 1, 1979 failed to disclose applicant's intention to tack and interline. The purpose of this republication is to show that applicant was granted, on petition, permission to tack and interline. Any interested person may file a petition for reconsideration within 20 days of the date of this publication. Within 20 days after the filing of such a petition with the Commission, any interested person may file and serve a reply thereto.

MC 136782 (Sub-9TA), filed January 30, 1979, published in the **Federal Register** March 16, 1979 and republished in this issue. Applicant: R. A. N. TRUCKING COMPANY, P.O. Box 128, Eau Claire, PA 16030. Representative: Daniel C. Sullivan, 10 S. LaSalle St., Suite 1600, Chicago, IL 60603. By decision dated June 22, 1979, the Motor Carrier Board granted applicant, 180 days temporary authority to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and commodities requiring special equipment, from New York City, NY; Wilmington, DE; Philadelphia, PA; Trenton and Camden, NJ; to Pittsburgh, PA and points in Butler County, PA. Applicant intends to interline. Any interested person may file a petition for reconsideration within 20 days of the date of this publication. Within 20 days after the filing of such a petition with the Commission, any interested person may file and serve a reply thereto. Purpose of this republication is to show applicant sought authority to interline, which was granted on petition.

Notice No. 2

The following applications were filed in the San Francisco Regional Office. Send protests to: Interstate Commerce Commission, 211 Main St., San Francisco, CA 94105.

MC 147344 (Sub-6–1TA), filed February 4, 1980. Applicant: RED'S EXPRESS, INC., 309 Beech St., Modesto, CA, 95354. Representative: Tim Ravey, 518 Santa Clara Ave., Alameda, CA 94501. *Common carrier:* regular route: *General commodities from freight forwarders* except (1) automobiles, trucks and buses (2) livestock (3) liquids or compressed gases in bulk or in tank trucks (4) bulk commodities in dump trucks (5) logs; between points and points located on the following described routes: (1) on State Hwy 80 from San Francisco, CA to Sacramento, CA (2) on State Hwy 17 from Oakland, CA to the Jct. State Hwys 238 and 17 (3) on Jct State Hwys 238 and 17 to the Jct. of State Hwys 238 and 580 (4) on State Hwy 580 from Jct. State Hwys 238 and 580 to Tracy, CA; (5) on State Hwy 680 from San Jose, CA to Jct. State Hwys 680 and 80. Supporting shipper: LaWI/CSA, Inc., 1355 5th St., Oakland, CA 94607.

Alternate Route Application

MC 98327 (Sub-6–1TA), filed February 8, 1980. Applicant: SYSTEM 99, 8201 Edgewater Drive, Oakland, CA 94621. Representative: Ray V. Mitchell, 8201 Edgewater Drive, Oakland, CA 94621. Authority sought to operate as a *Common carrier*, by motor vehicle, over (regular) routes, transporting; general commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between Sparks, NV and Salt Lake City, Utah, serving no intermediate points, and serving the commercial zones of Sparks and Salt Lake City, as an alternate route for operating convenience only in connection with applicant's authorized regular routes: From Sparks, NV over Interstate Hwy 80 to Salt Lake City, UT and return over the same route. An underlying ETA seeks 90 days authority. Authority is also sought to tack and interline.

MC 98327 (Sub-6–2TA), filed February 8, 1980. Applicant: SYSTEM 99, 8201 Edgewater Drive, Oakland, CA 94621. Representative: Ray V. Mitchell, 8201 Edgewater Drive, Oakland, CA 94621. Authority sought to operate as a *Common carrier*, by motor vehicle, over (regular) routes, transporting, general commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), Between Las Vegas, NV and Salt Lake City, UT, serving no intermediate points, and serving the

commercial zones of Las Vegas and Salt Lake City, as an alternate route for operating convenience only in connection with applicant's authorized regular routes: From Las Vegas over Interstate Highway 15 to Salt Lake City, and return over the same route. An underlying ETA seeks 90 days authority. Authority is also sought to tack and interline.

MC 138299 (Sub-6–1TA), filed February 5, 1980. Applicant: TRAILS TRUCKING, INC., 1825 De La Cruz Blvd., Santa Clara, CA 95050. Representative: William J. Monheim, P.O. Box 1756, Whittier, CA 90609. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Insulation and plastic bottles*, from points in Orange and Los Angeles Counties, CA, to Phoenix, AZ, under a continuing contract(s) with Monsanto Company, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Monsanto Company, 611 E. Cerritos Avenue, P.O. Box 3790, Anaheim, CA 92803.

MC 26396 (Sub-6–1TA), filed February 5, 1980. Applicant: THE WAGGONERS TRUCKING, P.O. Box 31357, Billings, Montana 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, Nebraska 68501. *Steel Buildings and products and supplies used in the manufacture, sale and distribution thereof*, from the facilities of Atlantic Building Systems, Inc. at or near Hannibal, MO to points in and west of MN, IA, MO, AR and LA, for 180 days. Supporting shipper: Atlantic Building Systems, Inc., 2001 Orchard, Hannibal, MO 63201.

MC 112989 (Sub-6–1TA), filed February 5, 1980. Applicant: WEST COAST TRUCK LINES, INC., 85647 Highway 99 South, Eugene, OR 97405. Representative: John W. White, Jr., 85647 Highway 99 South, Eugene, OR 97405. *Aluminum cans and can ends*, from the facilities of Kaiser Aluminum & Chemical Corp. at or near Union City and Newark, CA to points in Multnomah County, OR and Clark and King Counties, Wa.

MC 15002 (Sub-6–1TA), filed February 5, 1980. Applicant: JAMES DANIELS d.b.a. ZIP TRUCK LINES, Post Office Box 4237, Fremont, CA 94538. Representative: Marvin Handler, Handler, Baker, Greene & Taylor, P.C., 100 Pine Street—Suite 2550, San Francisco, CA 94111. *Water heaters, boilers, storage tanks, solar collectors, solar panels and commodities used in the installations or production thereof*, from Newark and Los Angeles, CA and Seattle, WA to the states of CA, AZ, NV, NM, OR, UT, WA and ID.

MC 63562 (Sub-6–1TA), filed February 6, 1980. Applicant: BN TRANSPORT INC., 6775 East Evans Avenue, P.O. Box 22694, Wellshire Station, Denver, CO 80222. Representative: Cecil L. Goettsch, 1100 Des Moines Building, Des Moines, IA 50307. Authority sought to engage in operation, in interstate or foreign commerce as a *common carrier* by motor vehicle, over Regular routes, in the transportation of *General Commodities* (except those of unusual value, classes A & B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) serving the facilities of All Steel, Inc. at Warrensburg, MO as an off-route point in connection with carrier's otherwise authorized regular route operations to and from Kansas City, MO.

MC 96697 (Sub-6–1TA), filed February 6, 1980. Applicant: CITY FREIGHT LINES, 22560 Lucerne Ave., Carson, CA 90745. Representative: R. Y. SCHUREMAN, 1545 Wilshire Blvd., Los Angeles, CA 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Los Angeles, CA and Phoenix, AZ: From Lose Angeles, CA over I–10 to Phoenix, AZ, and return over the same route, serving all intermediate points and all off-route points in Los Angeles, Orange and San Bernardino Counties, CA and Maricopa County, AZ. Restricted to shipments having an immediate prior or subsequent movement by air. Authority sought for 180 days, and applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Continential Airlines, Los Angeles, CA.; Trans World Airlines, Inc., Los Angeles, CA.

Caption Summary

MC 42487 (Sub-6–1–TA), filed February 6, 1980. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, CA 94025. Representative: V. R. Oldenburg, P.O. Box 3062, Portland, OR 97208. Authority is sought to operate as a *common carrier* by motor vehicle, over regular routes transporting: *General commodities, (except those of unusual value, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment,* between Macon, GA and Savannah, GA, serving no intermediate points other than junction U.S. Hwy 80 and U.S. Hwy 25 for purpose of joinder only: From Macon over U.S. Hwy 80 to Savannah, and return over the same route. Between Augusta, Ga and junction U.S. Hwy 25 and U.S. Hwy 80, serving no intermediate points: From Augusta over U.S. Hwy 25 to junction U.S. Hwy 25 and U.S. Hwy 80, and return over the same route. Between Savannah, GA and Jacksonville, FL, serving no intermediate points: From Savannah over U.S. Hwy 17 to Jacksonville, and return over the same route. Between Savannah, GA and Columbia, SC, serving no intermediate points; From Savannah over U.S. Hwy 17 to junction Alternate U.S. Hwy 17, then over Alternate U.S. Hwy 17 to junction U.S. Hwy 15, then over U.S. Hwy 15 to junction Interstate Hwy 26, then over Interstate Hwy 26 to junction U.S. Hwy 321, then over U.S. Hwy 321 to Columbia, and return over the same route. Applicant seeks to serve all points in the Commercial Zones of the points authorized herein. Supporting Shipper(s): There are approximately 105 shipper support statements filed with this application which may be inspected at the offices of the Interstate Commerce Commission, Washington, D.C. or at the District Office named below. Send Protests to: D/S Neil C. Foster, Suite 500, 211 Main Street, San Franscisco, CA 94105.

Note.—Applicant intends to tack the authorities here sought at Savannah, GA and at the junction U.S. Hwy 80 and U.S. Hwy 25. Applicant also intends to tack to its existing authority and any authority it may acquire in the future. The proposed authority will tack with present authority of Applicant at Macon, GA, North Augusta, SC, Jacksonville, FL and Columbia, SC. Present authority at Macon, GA is found in Docket No. MC 42487 Sub 744. Present authority at North Augusta, SC is found in Docket No. MC 42487 Subs 863 and 905F. Present authority at Columbia, SC is found in Docket No. MC 42487 Subs 744, 840, 863 and 905F. Present authority at Jacksonville, FL is found in authority Applicant acquired from Eastern Express, Inc., under Docket No. MC–F–13295. A certificate covering this authority has not yet been issued in Applicant's name. These authorities, in turn, will be joined with other authorities of Applicant at common service points to permit service throughout the United States. Applicant proposes to interline traffic with its present connecting carriers at authorized points throughout the United States as provided in tariffs on file with the Interstate Commerce Commission.

MC 150027 (Sub-6–1TA), filed February 6, 1980. Applicant: FLOYD E. PHILLIPS, d.b.a. FUTURE TRUCKING CO., 8125 E. Slauson Ave., Montebello, CA 90640. Representative: John C.

Russell, 1545 Wilshire Blvd., Los Angeles, CA 90017. *Pipe, tubing, valves* and *fittings*, from points in Los Angeles and Orange Counties, CA to points in AZ and Clark County, NV. Applicant has also filed an underlying ETA seeking up to 30 days of operating authority. Supporting Shipper: Kin-Line, Inc.; 7217 Crider Ave.; Pico Rivera, CA 90660; Phelps Dodge Brass Co.; 6100 S. Garfield Ave.; Los Angeles, CA 90022; Dayton Foundry Co.; 1320 S. Alameda St.; Compton, CA 90221; Mueller Brass Co., Inc.; 2929 Vail Ave.; City of Commerce, CA 90040.

MC 110325 (Sub-6-1TA), filed February 6, 1980. Applicant: TRANSCON LINES , P.O. Box 92220, Los Angeles, CA 90009. Representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all points in Bureau, Henry, Knox, Lee, Rock Island and Whiteside Counties, IL, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 12 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub-6-2TA), filed February 6, 1980. Applicant: TRANSCON LINES: P.O. Box 92220, Los Angeles, CA 90009. Representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all points in Boone, Story, Marshall, Dallas, Polk, and Jasper Counties, IA, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 24 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub-6-3TA), filed February 6, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all points in Albany, Columbia, Rensselaer, Saratoga, Schenectady, and Washington Counties, NY; Bennington County, VT and Berkshire County, MA, as off-route points in connection with carrier's otherwise authorize regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 15 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub-No. 6-4TA), filed February 6, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all points in Burke, Columbia, Glascock, Jefferson, Richmond, McDuffie, and Warren Counties, GA, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 7 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub-No. 6-5TA), filed February 6, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all points in Sheboygan, Dodge, Washington, Ozaukee, Jefferson, Waukesha, Walworth, Racine, and Kenosha Counties, WI, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 21 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub-No. 6-6TA), filed February 7, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all points in Monroe and Lenawee Counties, MI, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 17 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub-No. 6-7TA), filed February 7, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except Classes A and B explosives, those of unusual value, household goods

as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all points in Mason and Thurston Counties, WA, and those points in Pierce County, WA, on and west of WA Hwy 161, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 3 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub No. 6-8TA), filed February 7, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Applicant's representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities*, (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all points in Rockingham County, NC, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 4 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub No. 6-9TA), filed February 7, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Applicant's representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities*, (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the facilities of Church & Dwight, at or near Green Springs, OH, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There is one supporting shipper. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub No. 6-10TA), filed February 6, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Applicant's representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities*, (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all points in Grant, Blackford, Jay, Randolph, Delaware, Madison, Henry, Wayne, Fayette, Rush and Hancock Counties, IN, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 14 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub No. 6-11TA), filed February 6, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Applicant's representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities*, (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Howell, MI and its commercial zone, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are three supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub No. 6-12TA), filed February 7, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Applicant's representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities*, (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Wagoner and Pryor, OK and their commercial zones, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are six supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub No. 6-13TA), filed February 7, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Applicant's representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities*, (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all points in Rockingham and Hillsborough Counties, NH; York County, ME; New Castle and Kent Counties, DE; RI; CT; MA; NJ; and those points in Strafford County NH, on and east of U.S. Hwy 202, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 44 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub No. 6-14TA), filed February 7, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Applicant's representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over

regular routes, transporting *general commodities,* (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all points in Franklin, St. Charles and St. Louis Counties, MO and Madison County, IL, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 16 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub No. 6-15TA), filed February 7, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Applicant's representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier,* by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities,* (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all points in Armstrong, Beaver, Butler, Crawford, Erie, Fayette, Green, Indiana, Lawrence, Mercer, Venango, Washington and Westmoreland Counties, PA and Brooke, Hancock and Ohio Counties, WV, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 24 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub-6-16TA), filed February 7, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier,* by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Grants and Milan, NM and their respective commercial zones, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 7 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub-6-17TA), filed February 7, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier,* by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all points in Bartow, Cherokee, Forsyth, Hall, Haralson, Paulding, Cobb, Fulton, Gwinnett, Rockdale, DeKalb, Henry, Spaulding, Clayton, Fayette, Coweta, Douglas, Carroll and Heard Counties, GA, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 10 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub-6-18TA), filed February 7, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier,* by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving points in Erie, Lorain, Cuyahoga, Geauga, Lake, Ashtabula, Trumbull, Portage, Mahoning, Colubiana, Jefferson, Carroll, Harrison, Tuscarawas, Stark, Summit, Medina, Wayne, Holmes, Coshocton, Knox, Ashland, Richland, Morrow, Marion, Crawford, Huron Counties, OH, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 21 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub-6-19TA), filed February 7, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier,* by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all points in Union and Anson Counties, NC, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 8 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub-6-20TA), filed February 7, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier,* by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Millville and New Berlin, PA, and their commercial zones, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 2 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub-6-21TA), filed February 7, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Hughes Tool Company, at or near Corsicana, TX, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There is one supporting shipper. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub-6-22TA), filed February 7, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all points in Wayne, Ontario and Livingston Counties, NY, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 3 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub-6-23TA), filed February 7, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Eaton-Dikeman, Division of Knowlton Bros., at or near Mount Holly Springs, PA, as off-route points in connection with carrier's otherwise authorized regular route operations.

Note.—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There is one supporting shipper. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub-6-24TA), filed February 7, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities*, (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all points in Boulder County, CO, as off-route points in connection with carrier's otherwise authorized regular route operations. **Note.**—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 4 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub-6-25TA), filed February 7, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities*, (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all points in Drake, Miami and Champaign Counties, OH, as off-route points in connection with carrier's otherwise authorized regular route operations. **Note.**—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 3 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

MC 110325 (Sub-6-26TA), filed February 7, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities*, (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all points in Harrison, Shelby, Pottawattamie, Cass, Mils, Montgomery, Fremont and Page Counties, IA and Douglas, Sarpy, Cass, Otoe and Lancaster Counties, NE, as off-route points in connection with carrier's otherwise authorized regular route operations. **Note.**—Applicant proposes to tack the authority sought with its authority in MC-110325 and Subs thereto, and proposes to interline with other motor carriers. An underlying ETA seeks 90 day's authority. There are 14 supporting shippers. The statements of support may be examined at the office listed below and at Interstate Commerce Commission Headquarters.

Caption Summary

146847 (Sub-6-1TA), filed February 7, 1980. Applicant: DESERT FREIGHT LINES, INC., 1200 Valencia Avenue, Tustin, CA 92680. Representative: William J. Monheim, P.O. Box 1756, Whittier, CA 90609. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dried soup ingredients*, from Tustin, CA, to points in and east of ND, SD, NE, KS, OK, and TX, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Maruchan, Inc., 1902 Deer Avenue, Irvine, CA 92683. Send protests to: Regional Motor Carrier Board, Interstate Commerce Commission 211 Main Street, Suite 500, San Francisco, CA 94105.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-5632 Filed 2-20-80, 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-6 (Sub-No. 58F)]

Burlington Northern, Inc., Abandonment Near Moose Lake and Carlton in Carlton, County, Minn.; Findings

Notice is hereby given pursuant to 49 U.S. 10903 that by a decision decided December 31, 1979, a finding, which is administratively final, was made by the Commission, Review Board Number 5, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Oregon Short Line Railroad Co.-Abandonment Goshen*, 360 I.C.C. 91 (1979), and further that BN shall keep intact all of the right-of-way underlying the tract, including all bridges and culverts for a period of 120 days from the issuance of a certificate to permit any interested party to negotiate the acquisition for public use of all or any portion of the properties, the present and future public convenience and necessity permit the abandonment by the Burlington Northern Inc. of a line of railroad known as the Moose Lake to Carlton Line extending from railroad milepost 107.50 near Moose Lake, MN, to railroad milepost 129.49 near Carlton, MN, a distance of 21.99 miles in Carlton County, MN. A certificate of abandonment will be issued to the Burlington Northern Inc. based on the above-described finding of abandonment, on or before March 21, 1980, unless on or before March 21, 1980, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the **Federal Register** on March 31, 1976, at 41 FR 13691, as amended by publication of May 10, 1978, at 43 FR 20072. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced decision.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-5364 Filed 2-20-80; 8:45 am]

BILLING CODE 7035-01-M

Temporary Authority Application; Decision Notice

As indicated by the findings below, the Commission has approved the following applications filed under 49 U.S.C 10924, 10926, 10931 and 10932.

We find: Each tranaction is exempt from section 11343 (formerly section 5) of the Interstate Commerce Act, and complies with the appropriate transfer rules.

This decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

Petitions seeking reconsideration must be filed on or before March 12, 1980. Replies must be filed within 20 days after the final date for filing petitions for reconsiderations; any interested person may file and serve a reply upon the parties to the proceeding. Petitions which do not comply with the relevant transfer rules at 49 CFR 1132.4 may be rejected.

If petitions for reconsideration are not timely filed, and applicants satisfty the conditions, if any, which have been imposed, the application is granted and they will receive an effective notice. The notice will indicate that consummation of the transfer will be presumed to occur on the 20th day following service of the notice, unless either applicant has advised the Commission that the transfer will not be consummated or that an extension of time for consummation is needed. The notice will also recite the complince requirements which must be met before the transferee may commence operations.

Applicants must comply with any conditions set forth in the following decision-notices within 30 days after publication, or within any approved extenstion period. Otherwise, the decision-notice shall have no further effect.

By the Commission, Review Board Number 5, The Motor Carrier Board, Members Krock, Pohost, and Taylor.

Agatha L. Mergenovich,

Secretary.

No. FD 29229F By decision of January 29, 1980 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1151. The Motor Carrier Board approved the transfer to Apex Forwarding Co., Inc., of Fremont, CA, of Permit No. FF-354 issued 12/13/73 to Space Forwarders, Inc., of Baltimore, MD, authorizing the transportation of used household goods and unaccompanied baggage, between points in the United States (including Hawaii but excluding Alaska) and (b) used automobiles, between points in the United States (including Hawaii but excluding Alaska), restricted in (b) to the transportation of export and import traffic.

Applicant's representatives are: Alan F. Wohlstetter, 1700 K Street, NW., Washington, D.C. 20006 and John C. Bradley, 1600 Wilson Blvd., Arlington, VA 22209.

[FR Doc. 80-5367 Filed 2-20-80; 8:45am]

BILLING CODE 7035-01-M

INTERNATIONAL TRADE COMMISSION

[701-TA-20 (Preliminary)]

Certain Chains and Parts Thereof From Japan; Determination of the Commission

On the basis of the Record developed in investigation No. 701-TA-20 (Preliminary), undertaken by the United States International Trade Commission under section 703(a) of the Tariff Act of 1930, the Commission unanimously determines that there is no reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry is materially retarded, by reason of imports of chains and parts thereof from Japan, provided for in items 652.24, 652.27, 652.30, 652.33, and 652.35 of the Tariff Schedules of the United States, and alleged to be receiving an additional subsidy over the 2 percent duty now being collected on the basis of the final

determination of the Department of the Treasury on August 24, 1978, with respect to such chains and parts thereof from Japan. With respect to the issue of injury by reason of the subsidy practices already found to exist under the final determination of August 24, 1978, the issue is not ripe for determination until such time as the Commission institutes a case under section 104(b) of the Trade Agreements Act of 1979.

Section 102(a)(1) of the Trade Agreements Act of 1979 requires the Commission to conduct preliminary countervailing duty investigations in cases where, on January 1, 1980, the administering authority has begun an investigation, but not yet made a preliminary determination, under section 303 of the Tariff Act of 1930 as to whether a bounty or grant is being paid or bestowed. On January 7, 1980, the Commission received advice from the Department of Commerce (the administering authority effective January 1, 1980) that such an investigation had been instituted prior to January 1, 1980, with respect to imported chains and parts thereof from Japan. Accordingly, effective January 1, 1980, the Commission instituted a preliminary countervailing duty investigation under section 703(a) of the Tariff Act of 1930 to determine whether there is a reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of chains and parts thereof from Japan.

Notice of the institution of the Commission's investigation and of the conference held in connection therewith was published in the **Federal Register** of January 14, 1980 (45 FR 2714). On February 1, 1980, a public conference was held in Washington, D.C., and all persons requesting the opportunity were permitted to appear in person or by counsel. The public conference opened as scheduled, but not witnesses appeared.

In arriving at its determination, the Commission gave due consideration to information provided by the administering authority, all written submissions from interested parties, and information adduced at the conference and obtained by the Commission's staff from questionnaires, documented personal interviews, and other sources which are a part of the official record.

Views of Chairman Catherine Bedell, Vice Chairman Bill Alberger, and Commissioners George M. Moore, Paula Stern and Michael J. Calhoun

In order for the Commission to find in the affirmative in a preliminary injury determination under section 701 of the Tariff Act of 1930 (19 U.S.C. 1671(b)), it is necessary to find that sufficient information has been presented to show that there is a reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of the merchandise which is the subject of the investigation allegedly benefiting from subsidies provided by a foreign government.

In this investigation, we have determined that there is no reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or that the establishment of an industry in the United States is materially retarded,[1] by reason of the importation from Japan of certain chains and parts thereof provided for in items numbers 652.24, 652.27, 652.30, 652.33, and 652.35 of the Tariff Schedules of the United States (TSUS), which are alleged to be receiving subsidies from the Government of Japan in excess of the two percent duty presently being collected as a result of a final determination published by the Treasury Department August 24, 1978. We recognize that the Treasury Department reopened that earlier determination when it commenced its consideration of the petitioner's new claim that Japan's yen maintenance program constitutes a bounty or grant. However, notwithstanding the reopening, the administering authority is continuing to collect the two percent duty, and the duty remains in effect until modified or revoked. Thus, there remains outstanding a final countervailing duty order with respect to the product being investigated.

Section 104(b) of the Trade Agreements Act of 1979, which establishes for the first time a material injury test with respect to dutiable items subject to countervailing duties, provides that with respect to outstanding final duty orders, there is to be a material injury investigation only in those cases where such an investigation is requested by the country against which the order is issued. In this case, the Government of Japan has not requested such an investigation. Therefore, the Commission would violate section 104(b) if it were to act now on the injury question with respect to the final determination of a two percent subsidy without such a request from the Government of Japan.

The statute also requires that the Commission provide the opportunity for a hearing before ordering revocation of an outstanding countervailing duty order by a finding of no material injury. Even if a request had been made by the Government of Japan, Commission procedures with respect to preliminary inquiries do not provide, or even require, a hearing before the Commission of the type required prior to all determinations under section 104(b).[2] Therefore, the Commission would violate the spirit, if not the letter, of section 104(b) if it were to consider whether there is reasonable indication of injury with respect to a final countervailing duty order. For these reasons, we have considered only the question of whether material injury or threat thereof exists by reason of the new subsidy allegations by petitioner.

The petitioner has provided no information with respect to this investigation. Members of petitioner's organization did not answer Commission questionnaires. Because petitioner and its constituent organizations did not provide the Commission with information tending to show injury, the record in this case is devoid of any support whatever for the propostion that there is a reasonable indication of injury with respect to imports of goods benefiting from Japan's yen maintenance program. We have therefore determined that there is no reasonable indication of injury with respect to such imports.

Additional Views of Commissioners Alberger, Stern, and Calhoun

With respect to the absence of supporting information in this case, we wish to make two observations.

First, we cannot refuse to make any determination due to insufficient information in the Record. Under the preliminary detefmination procedures contained within Sections 703(a) and 733(a) of the Tarriff Act of 1930 as amended by the Trade Agreements Act of 1979[3], the Commission is compelled in all cases to reach a finding on the reasonable indication question. This view is based on the plain language of these two sections that, "The Commission, within 45 days after the

[1] Material retardation of the establishment of an industry in the United States is not an issue in this investigation (see Report, p. A-6).

[2] Compare Subpart B of Part 207 of the Commission's Rules (19 C.F.R.) with Subpart C, particularly sections 207.15 and 207.23.

[3] P.L. 96-39, July 26, 1979, 93 Stat. 144.

date on which a petition is filed * * * *shall* make a determination * * * of whether there is a reasonable indication" (emphasis added) of material injury or threat thereof or of material retardation of the establishment of an industry.

We see no ambiguity in this language on its face, but to the extent ambiguity may exist, the legislative history is unequivocal. The Report of the Committee on Ways and Means states, with regard to Section 703(a), that, "[T]he ITC *must* make a determination of whether there is a reasonable indication that an industry in the United States is being materially injured" [4] (emphasis added). With regard to Section 733(a), which contains identical language in providing for preliminary determinations in antidumping cases, the Committee Report states,

> Section 733(a) amends present law by requiring the ITC to make, in every proceeding, a determination within 45 days * * * of whether there is a reasonable indication of injury.[5] (Emphasis added.)

The Report of the Committee on Finance is equally clear. With regard both to Sections 703(a) and 733(a) the Finance Committee uses identical language in expressing its views on their meaning: "The ITC would be *required* to make a determination . . . whether there is a reasonable indication that an industry in the United States is being materially injured or threatened with material injury, or the establishment of an industry in the United States is being materially injured." [6] (emphasis added.) Indeed, the Senate Report distinguishes this new provision from prior law by noting, *inter alia*, the very fact that this new provision establishes the "*requirement* that the ITC make a reasonable indication determination with respect to injury" [7] (emphasis added).

While compelling the Commission to reach a determination in each case, sections 703(a) and 733(a) are extraordinary procedures in that such determinations must be reached within a 45-day period. The changes made by the Trade Agreements Act of 1979 to the timing of decision-making in countervailing duty and antidumping cases, of which sections 703(a) and 733(a) are only a small part, largely grew out of concern that the then established practice and, indeed, the existing law allowed too much time to pass between the initiation of a complaint and the final collection of duties.[8] Although the new provisions under the Trade Agreements Act of 1979 extended the time period for preliminary determinations by 15 days but shortened the overall timetable, it was recognized that 45 days was still a very short time within which to reach even a preliminary decision.[9]

Thus, with this time burden in mind, the language in Sections 703(a) and 733(a) that the Commission determinations should be "based upon the best information available to it at the time of the determination" is most reasonably construed to mean that the Commission is to do the best it can with the information before it in order to arrive at a preliminary decision within the 45 days allowed. Indeed, the Senate Report specifically states, that, "While the Committee recognizes that the ITC cannot conduct a full-scale investigation in 45 days, it expects the Commission to make every effort to conduct a thorough inquiry during that period. The nature of the inquiry may vary from case to case depending on the nature of the information available and the complexity of the issues."

It is, therefore, our view that, notwithstanding the absence of relevant information before it, the Commission is compelled, in all cases, to render a preliminary determination and in cases such as this one the only proper determination must be in the negative as to those subsidies that are properly before the Commission.

As a second matter, it is of concern to us that petitioners in this case have failed to provide any information bearing on the allegations in their petition. In separate views in 731-TA-4 (Microwave Ovens), Commissioners Stern and Calhoun expressed themselves on this matter in the broader context of non-parties and their obligation to come forward with information for the Commission under these procedures for reaching preliminary determinations. With regard to the obligation of parties to the petition to come forward with information reasonably available to them there can be no question: "The burden of proof under Section 703(a) would be on the petitioner." [10] We read this view of the Senate to be not simply a guidance regarding rules of evidence, but a prescription as to the obligation of parties seeking to invoke the authority of this institution in remedying the alleged adverse circumstances they face.

By order of the Commission.

Issued: February 14, 1980.

Kenneth R. Mason,

Secretary.

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[4] House Report No. 96-317, 96th Cong. 1st Sess. (1979) at P. 51.

[5] House Report No. 96-317, 96th Cong. 1st Sess. (1979) at p. 60.

[6] Ibid at pp. 48 and 64.

[7] Ibid at p. 49.

[8] House Report No. 96-317, 96th Cong. 1st Sess. (1979) at pp. 49, 59, and 61. See also Senate Report 96-249, 96th Cong. 1st Sess. (1979) at pp. 49 and 66.

[9] See Senate Report at p. 66.

[10] Senate Report 96-249, 96th Cong. 1st Sess. (1979) at p. 49.

[Investigation No. 337-TA-52]

Certain Apparatus for the Continuous Production of Copper Rod; Publication of Memorandum Regarding Krupp's Request for an Advisory Opinion

On February 14, 1980, the U.S. International Trade Commission published a memorandum regarding the Krupp request for an advisory opinion of December 17, 1979. Public comment had previously been sought regarding Krupp's request. See 45 F.R. 1950 (Jan. 9, 1980). Copies of the memorandum are available at the Office of the Secretary, U.S. International Trade Commission, 701 E Street, N.W., Washington, D.C. 20436. Telephone (202) 523-0161.

By order of the Commission.

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Kenneth R. Mason,

Secretary.

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[Investigation No. 731-TA-4 (Preliminary)]

Countertop Microwave Ovens From Japan

On the basis of the information developed during the course of investigation No. 731-TA-4 (Preliminary) (countertop microwave ovens from Japan), the Commission determines unanimously that there is a reasonable indication that an industry in the United States is materially injured [1] by reason of the importation of countertop microwave ovens from Japan, provided for in item 684.25 of the Tariff Schedules of the United States, which are allegedly sold at less than fair value.

Section 102 of the Trade Agreements Act of 1979 requires the Commission to conduct preliminary antidumping investigations in cases where, on January 1, 1980, the Administering Authority has begun an investigation, but not yet made a preliminary determination, under section 732 of the Tariff Act of 1930 to determine whether

[1] Commissioners Moore and Stern determined that there is a reasonable indication that an industry in the United States is materially injured or threatened with material injury.

the class or kind of merchandise described in the petition is being, or is likely to be, sold in the United States at less than fair value. On January 7, 1980, the Commission received advice from the Department of Commerce (the administering authority effective January 1, 1980) that such an investigation had been instituted prior to January 1, 1980, with respect to imported countertop microwave ovens from Japan. Accordingly, effective January 1, 1980, the Commission instituted a preliminary antidumping investigation under section 733(a) of the Tariff Act of 1930, as amended, to determine whether there is a reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of countertop microwave ovens from Japan.

Notice of the institution of the Commission's investigation and of the conference held in connection therewith was published in the **Federal Register** of January 14, 1980 (45 FR 2714). On January 28, 1980, a public conference was held in Washington, D.C., and all persons requesting the opportunity were permitted to appear in person or by counsel.

In arriving at its determination, the Commission gave due consideration to information provided by the Administering Authority, to all written submissions from interested parties, and information adduced at the conference and obtained by the Commission's staff from documented personal interviews, and other sources, all of which have been placed on the administrative record of this preliminary investigation.

Views of Chairman Catherine Bedell, Commissioners, Michael Calhoun, George Moore, and Paula Stern

This preliminary investigation was instituted on January 1, 1980, by the Commission pursuant to section 733(a) of the Tariff Act of 1930 to determine whether, with respect to countertop microwave ovens from Japan, provided for in TSUS item 684.25, there is a reasonable indication that an industry is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of the merchandise allegedly sold or likely to be sold at less than fair value. In order for the Commission to make an affirmative determination under section 733 of the Tariff Act of 1930 (19 U.S.C. 1673(b)), it is necessary to find that information in the administrative record demonstrates the reasonable indication described above.

Determination

On the basis of the information obtained in this investigation, including the Commission's report on Countertop Microwave Ovens from Japan,[1] we determine that there is a reasonable indication that an industry in the United States is materially injured or is threatened with material injury by reason of imports of countertop microwave ovens from Japan which are allegedly sold at less than fair value.[1]

The Trade Act of 1979 (sec. 733(a)) directs that the Commission "shall make a determination, based upon the best information available to it at the time of the determination * * *." The Act further specifies in section 771(7) 771(7)(B) and (C) that the Commission shall consider, among other factors—(i) the volume of imports of the merchandise which is the subject of this investigation, (ii) the effect of such imports of merchandise on prices for like products, and (iii) the impact of imports of such merchandise on domestic producers of like products. In light of these directives, we base our decision on the following preliminary findings of fact and conclusions of law:

1. Imports of countertop microwave ovens from Japan increased from 530,000 units in 1976 to 765,000 units in 1978, or by 44 percent. During this period the market share of such imports increased by six percentage points. Although imports from Japan declined during 1979 by 3.3 percent compared with imports in 1978, market penetration remained at 29 percent.[3]

2. Capacity utilization in the domestic industry declined from 78 percent in 1976 to 50 percent in 1978.[4]

3. The number of production and related workers producing countertop microwave ovens declined steadily from 1976 through the first half of 1979 by 33 percent.[5]

4. The Commission was able to obtain profit-and-loss data information for only about 60 percent of the industry. The data obtained revealed that net profits as a share of net sales declined from 14.4 percent in 1976 to 10.1 percent in 1978 and dropped sharply during the first half of 1979 to 2.9 percent compared with the first half of 1978. This decline occurred during a period of expected growth for an industry of this type.[6]

Net sales for this portion of the industry increased steadily from 1976 through November 1979. However, the notable increase in January-November 1979 occurred at a time when imports from Japan declined both absolutely and relatively for the first time.[7] The decline occurred while antidumping proceedings under the Antidumping Act, 1921 were underway. The Commission was able to obtain information giving a reasonable indication that domestic producers lost sales to imports from Japan allegedly sold at less than fair value.[8] However, the Commission has yet to obtain information confirming that these lost sales resulted from underselling by the suppliers of Japanese ovens.

5. Although the petitioner in this proceeding alleged that price suppression or depression resulted from imports sold at less than fair value, no evidence of price underselling or of other price effects was received by the Commission. Complex variations among different models of imported Japanese and U.S.-produced microwave ovens prevented any meaningful Commission survey of price comparisons during this 45-day preliminary inquiry.[9]

Additional Views of Commissioners Stern and Calhoun

In determining whether or not a reasonable indication of material injury or threat of material injury exists, the Commission is required to base its decision upon the best information available to it at the time.[10] Unfortunately, the record is incomplete in this case, leaving unanswered important questions on profits and on pricing.

The report of the Senate Committee on Finance in the Trade Act of 1979 remarked that—

"While the committee recognizes that the ITC cannot conduct a full-scale investigation in 45 days, it expects the Commission to make every effort to conduct a thorough inquiry during that period. The nature of the inquiry may vary from case to case depending on the nature of the information available and the complexity of the issues.

However, it adds that—

"[t]he burden of proof under section 733(a) would be on the petitioner."[11]

The report from the House Committee on Ways and Means further states that

[1] USITC Publication 1003, September 1979.

[2] Chairman Catherine Bedell and Commissioner Calhoun determined that there is a reasonable indication that an industry in the United States is materially injured.

[3] Staff report, p. A-17.

[4] *Ibid.*, p. A-9.

[5] Staff report, p. A-12.

[6] *Ibid.*, p. A-14.

[7] Cumins Testimony, Conference Transcript, p. 29.

[8] Staff report, p. A-18.

[9] Staff report, p. A-18.

[10] Sec. 733(a) of the Tariff Act of 1930 (19 U.S.C. 1637b(a)).

[11] Senate Finance Committee Report, p. 66.

"[t]he petitioner will be expected to use reasonable efforts to collect information from public and industry sources."[12]

It is thus the stated intention of Congress that the petitioner be charged with a vital role in supplying the Commission with the information necessary in its determination, particularly with respect to the state of the domestic industry, as detailed in 771(7)(C)(iii) of the Act. Accordingly, it is expected that the petitioners and those parties supporting a petition will come forward with information of this nature as well as any information available to them on volume of imports and price effects (771(7)(C)(i) and (ii)). A failure to do so is inexcusable.

We do not interpret this language to require the petitioner to bear the burden of persuading the Commission. The Commission undertakes its own investigation, an obligation which it cannot shirk by concluding that a party has failed to persuade it of the correctness of its position. Rather, the burden of proof placed on the petitioner is the burden of coming forward with necessary information.

Clearly, additional profit-and-loss and pricing information would have been useful in reaching a determination in this investigation, a fact which was underscored several months ago during the Commission's previous investigation of this industry, conducted under the Antidumping Act of 1921.[13] The petitioner, AHAM, representing a majority of the producers in this industry, failed to supply complete information. Furthermore, a significant producer in this industry, indeed a firm which—though not a member of AHAM—publicly supported the petition, failed to come forward or to supply upon request profit-and-loss data to the Commission. In both cases, this failure to act responsibly is highly questionable.

Views of Vice Chairman Bill Alberger

On the basis of the record developed in investigation no. 731-TA-4 (Preliminary), I determine that there is a reasonable indication that an industry in the United States is materially injured, by reason of imports from Japan of countertop microwave ovens provided for under item number 684.25 of the Tariff Schedules of the United States, which are allegedly sold at less than fair value.

In this case, I adopt items 1, 3 and 4 of the attached "Supporting Statement by the Director of Operations for an Affirmative Determination on Countertop Microwave Ovens from Japan." Additionally, the following support my judgment that there is a reasonable indication of material injury by reason of these imports from Japan.

1. In a period of increasing consumption of countertop microwave ovens, domestic production remained stable. (See report at p. A-8.)

2. Price and lost sales data are inconclusive. Prices are not available for comparable models produced domestically and those exported from Japan. Our limited information indicates declining prices for both domestic and imported products. (See report Tables 13 and 14 at p. A-20.) It is possible that the imported product does not undersell the comparable domestic product, and thus technical dumping would occur.[1] It is also possible that the imported product is underselling the domestic product. This information will be critical if we have a final injury determination to make in this case.

Supporting Statement by the Director of Operations for an Affirmative Determination on Countertop Microwave Ovens From Japan (No. 731-TA-4 (Preliminary))

1. The Commission recently conducted investigation No. AA1921-Inq.-28 concerning Countertop Microwave Ovens from Japan and reported to the Treasury the results of that investigation on September 24, 1979. The Commission, by a unanimous vote, determined that there was a reasonable indication that an industry in the United States is being or is likely to be, injured by reason of the importation of Countertop Microwave Ovens from Japan, allegedly sold at less than fair value as indicated by the Department of the Treasury. No new evidence of significantly changed circumstances since the Commission's prior investigation has been presented.

2. In the prior investigation the petitioner alleged significant margins of dumping and that this dumping had several injurious effects, including a substantial loss of market share, price suppression or depression, unemployment, declining profitability, and underutilization of capacity. The Commission's investigation revealed reasonable indications of such injury.

3. Imports of Countertop Microwave Ovens from Japan increased from 530,000 units in 1976 to 765,000 units in 1978, or by 44 percent. During this period the market share of such imports increased by six percentage points. Although imports from Japan declined during 1979 by three percent compared with imports in 1978, the market penetration remained at more than 30 percent.

4. Data submitted to the Commission during the investigation (AA1921-Inq.-28) indicates that U.S. capacity utilization declined from 78 percent in 1976 to 50 percent in 1978. Employment and profit in the industry also declined. The profit-and-loss experience of firms which reported to the Commission (60 percent of the industry) showed that profit declined steadily from 1976 to 1978 and was sharply lower during January-June 1979, compared with January-June 1978.

5. Although interested parties at the public conference on January 28, 1980, submitted information concerning increased sales by U.S. producers of microwave ovens in 1979 compared with earlier years, increased sales by these firms came at a time when imports from Japan had declined. There is a reasonable indication that the domestic producers lost sales to imports from Japan alleged to have been sold at less than fair value.

By Order of the Commission.

Issued: February 15, 1980.

Kenneth R. Mason,

Secretary.

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[12] Report of the Committee on Ways and Means, House of Representatives, p. 60.

[13] See "Statement of Reasons of Commissioners Bill Alberger and Paula Stern," pp. 9-10, USITC Publication 1003, September 1979.

[1] Trade Reform Act of 1974: Report of the Committee on Finance * * *, S. Rept. No. 93-1298, (93rd Cong., 2nd Sess.) 1974, p. 179.

[701-TA-3 (Preliminary)]

Frozen Potato Products From Canada; Determination of No Reasonable Indication of Material Injury, Threat of Material Injury, or Material Retardation of the Establishment of an Industry

Determination

On the basis of the record in investigation No. 701-TA-3 (Preliminary), the Commission unanimously determines that there is no reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or that the establishment of an industry in the United States is materially retarded, by reason of the importation from Canada of frozen potato products, provided for in items 138.40 and 141.86 of the Tariff Schedules of the United States, upon which subsidies are allegedly provided by the Government of Canada.

Procedural Background

On January 7, 1980, the United States International Trade Commission received notice from the Department of

Commerce—the designated administering authority under section 771(1) of the Tariff Act of 1930, as added by title I of the Trade Agreements Act of 1979—that a countervailing duty investigation had been initiated, but no preliminary or final determination had been issued in connection with frozen potato products imported from Canada, upon which subsidies are allegedly provided by the Government of Canada. Accordingly, effective January 1, 1980, the Commission instituted a preliminary countervailing duty investigation under section 703(a) of the Tariff Act of 1930, as amended, to determine whether there is a reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of the merchandise which is the subject of the investigation by the Administering Authority.

Notice of the institution of the Commission's investigation and of the public conference to be held in connection therewith was duly given by posting copies of the notice at the Office of the Secretary, U.S. International Trade Commission, Washington, D.C., and at the Commission's office in New York City, and by publishing the notice in the **Federal Register** of January 14, 1980 (45 FR 2714). The conference was held in Washington, D.C., on January 29, 1980; all persons requesting the opportunity were permitted to appear in person or by counsel.

In arriving at its determination, the Commission gave due consideration to information provided by the Administering Authority, all written submissions from interested parties, and information adduced at the conference and obtained by the Commission's staff from questionnaires, documented personal interviews, and other sources that have been submitted for the record.

Statements of Chairman Catherine Bedell and Commissioners George M. Moore, Paula Stern and Michael J. Calhoun in Support of the Determination

On the basis of the best information available in this investigation, No. 701-TA-3 (Preliminary), we determine that there is no reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or that the establishment of an industry in the United States is materially retarded,[1] by reason of the importation from Canada of frozen potato products, provided for in items 138.40 and 141.86 of the Tariff Schedules of the United States, upon which subsidies are allegedly provided by the Government of Canada.

The following findings and conclusions, based on the record in this investigation, support our determination.

I. No Reasonable Indication of Material Injury

A. *Volume of imports.* 1. U.S. consumption of frozen potato products nearly doubled during the past decade. During 1975–78 annual apparent consumption rose by nearly 900 million pounds to 3.9 billion pounds, an increase of 29 percent. In the first six months of 1979, such consumption was only slightly less than that in the first six months of 1978. U.S. per capita consumption of frozen potato products rose from 11.1 pounds in 1970 to 17.6 pounds in 1978, equivalent to an average annual rate of growth of 5.9 percent; between 1975 and 1978 per capita consumption rose at an annual rate of 8.1 percent.

2. Canadian exports of frozen potato products to the United States trended downward from 12 million pounds in 1972 to a low of 0.9 million pounds in 1977 before rebounding to 7.6 million pounds in 1978. U.S. imports of frozen potato products have supplied only a negligible share of the domestic market for such items. During 1975–78 and January-June 1979, imports from Canada were equivalent to 0.5 percent or less of apparent domestic consumption.

B. *Effect of imports on U.S. prices.* 3. The U.S. Bureau of Labor Statistics' index of prices received by domestic producers of frozen french fried potatoes (which account for 85 percent of U.S. production of frozen potato products) rose 17.8 percent from January 1977 to September 1979, slightly more than the increase in the index of prices received by producers of all frozen vegetables during the period (17.5 percent). The two price indices tended to move in a parallel fashion throughout the entire January 1977-September 1979 period.

4. Data obtained by questionnaires, although incomplete, indicate that there has been no significant price undercutting or price depression or suppression.

C. *Impact on affected industry.* 5. U.S. production of frozen potato products rose from 3.0 billion pounds in 1975 to 3.8 billion pounds in 1978; output in January-June 1979 amounted to 2.1 billion pounds, slightly more than in the corresponding period in 1978.

6. Although aggregate net operating profits of the responding firms declined from $32 million (8.7 percent of sales) in 1977 to $27 million (6.2 percent of sales) in 1979, the decline appeared to be due to rapid increases in general, selling, and administrative expenses, because gross profit and net sales experienced steady growth during the period.

7. Domestic producers responding to the Commission's questionnaires reported increases during 1977–79 in productive capacity (51 percent), employment (5 percent), man-hours worked by production and related workers (6 percent), and wages paid to such workers (27 percent).

8. U.S. exports increased from an estimated 30 million pounds in 1975 to 53 million pounds in 1978; exports amounted to 35 million pounds in the first six months of 1979, compared with 24 million pounds in the first six months of 1978.

9. Year-end U.S. freezer stocks of frozen potato products during 1975–78 varied between a low of 681 million pounds in 1975 and a peak of 830 million pounds in 1977; no clear trend in such stocks was evident.

10. All producers supplying information on the subject of sales lost to imports of frozen potato products from Canada, in response to Commission questionnaires, reported that they had no specific evidence of sales lost to such imports.

An evaluation of these relevant factors reveals no reasonable indication of material injury to the affected industry.

II. No Reasonable Indication of Threat of Material Injury

The testimony presented on behalf of the petitioner, the Frozen Potato Products Institute, during the course of the Commission's investigation was directed almost entirely to the question of whether a threat of material injury to the domestic industry producing frozen potato products exists by reason of allegedly subsidized imports of such products from Canada. The petitioner contended at the conference that the major components of this threat included (a) rapidly rising imports, (b) severe overcapacity in the Canadian frozen potato processing industry and (c) stagnant demand in the United States for frozen potato products (transcript of conference proceedings, page 30).

11. Report No. 96–317 of the House Committee Ways and Means on the bill (H.R. 4537) which became the Trade Agreements Act of 1979 states (at page 47): "With regard to the standard for a threat of material injury, the Committee intends that the ITC affirmative determination shall be based upon evidence showing that the threat is real and imminent and not upon mere

[1] The question of the material retardation of the establishment of an industry in the United States was not raised as an issue in this investigation.

supposition or conjecture." Similarly, Report No. 96–249 of the Senate Committee on Finance on the bill states (pages 88 and 89): "An ITC affirmative determination with respect to threat of material injury must be based upon information showing that the threat is real and injury is imminent, not a mere supposition or conjecture." The House Report continues (at page 47): "In examining threat of material injury, the ITC will determine the likelihood of a particular situation developing into actual material injury. In this regard, demonstrable trends—for example, the rate of increase of the subsidized or dumped exports to the U.S. market, capacity in the exporting country to generate exports, the likelihood that such exports will be directed to the U.S. market taking into account the availability of other export markets * * * will be important."

12. Although levels of U.S. imports of frozen potato products from Canada have risen in 1978 and 1979, and U.S. consumption fell slightly in the first half of 1979 (see paragraphs 1 and 2, above) these changes do not establish a reasonable indication of a threat of material injury which is "real and imminent."

13. On the basis of two shifts per day, Canadian capacity to produce frozen potato products increased only marginally from 1977 to 1978, or from 550 million pounds to 570 million pounds. Based on these capacity estimates, Canada operated at 70 percent of capacity in both years. Over 90 percent of Canadian output of frozen potato products in 1977 and 1978 was for consumption in Canada. Furthermore, Canada's domestic demand continues rapid growth; the restaurant industry, the principal consumer of the product, is expected by the end of 1980 to show sales 60 percent greater than those posted in 1975.

14. Canadian exports to the United Kingdom in the first 10 months of 1979 rose 63 percent over their level for the same period in 1978, reversing a decline during the years 1977 and 1978. Exports to Japan have risen steadily since 1975; for the first 10 months of 1979 such exports were 263 percent greater than those during the corresponding period in 1978.

An evaluation of these relevant factors reveals no "real and imminent" threat of material injury to the affected industry.

Views of Vice Chairman; Alberger

Having considered the full record in investigation No. 701–TA–3 (Preliminary), I determine that there is no reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or that the establishment of an industry in the United States is materially retarded, by reason of the importation from Canada of frozen potato products, provided for in items 138.40 and 141.86 of the Tariff Schedules of the United States, upon which subsidies are allegedly provided by the Government of Canada.

I adopt in full the findings in I, II and III of the attached "Supporting Statement by the Director, Office of Operations, for a Negative Determination on Frozen Potato Products from Canada." That statement is a part of the record [2] and accurately analyzes all of the factors we are required by the statute to consider. In addition to that statement, I have added one additional finding that I believe is relevant to my determination: For every year for which we have data, the United States is a clear exporter of frozen potato products. The ratio had not been smaller than 3 to 1 in any period analyzed. Clearly, this industry has a healthy trade balance, and seems to be competitive in world markets.[3]

Supporting Statement by the Director, Office of Operations, for a Negative Determination on Frozen Potato Products From Canada (Inv. No. 701–TA–3 (Preliminary))

I. Material Retardation

The question of the material retardation of the establishment of an industry in the United States is not an issue in this investigation. Approximately 20 firms produce frozen potato products in the United States.

II. Material Injury

1. U.S. production of frozen potato products rose from 3.0 billion pounds in 1975 to 3.8 billion pounds in 1978; output in January–June 1979 amounted to 2.1 billion pounds, slightly more than in the corresponding period of 1978.

2. Exports increased from an estimated 30 million pounds in 1975 to 53 million pound in 1978; exports amounted to 35 million pounds in the first 6 months of 1979, compared with 24 million pounds in the first 6 months of 1978.

3. Yearend U.S. freezer stocks of frozen potato products during 1975–78 ranged from 681 million pounds in 1975 to 830 million pounds in 1977; no clear trend in such stocks was evident.

4. The U.S. Bureau of Labor Statistics' index of prices received by domestic producers of frozen french fried potatoes rose 17.8 percent from January 1977 to September 1979, slightly more than the increase in the index of prices received by producers of all frozen vegetables during the period (17.5 percent). The two price indices tended to move in parallel throughout the entire January 1977–September 1979 period.

5. Domestic producers responding to the Commission's questionnaires reported increased during 1977–79 in productive capacity (51 percent), employment (5 percent), man-hours worked by production and related workers (6 percent), and wages paid to such workers (27 percent). Although the aggregate net operating profits of the respondent firms declined from $32 million (8.7 percent of sales) in 1977 to $27 million (6.2 percent of sales) in 1979, all such producers of frozen potato products realized net profits in each of the years 1977–79.

6. Domestic producers were requested to supply evidence of sales lost to imports of frozen potato products from Canada. All respondents supplying information on this subject reported that they had no specific evidence of sales lost because of such imports.

III. Threat of Material Injury

The testimony presented on behalf of the petitioner, the Frozen Potato Products Institute, during the course of the Commission's investigation was directed almost entirely to the question of whether a threat of material injury to the domestic industry producing frozen potato products exists by reason of allegedly subsidized imports of such products from Canada. The petitioner contended at the conference that the major components of this threat included (1) rapidly rising imports, (2) severe overcapacity in the Canadian frozen potato processing industry, and (3) stagnant demand in the United States for frozen potato products (transcript of conference proceedings, page 30).

Canadian exports of frozen potato products to the United States trended downward from 12 million pounds in 1972 to a low of 0.9 million pounds in 1977 before rebounding to 7.6 million pounds in 1978. U.S. imports of frozen potato products have supplied only a negligible share of the domestic market for such items. During 1975–78 and January–June 1979, imports from Canada were equivalent to 0.5 percent or less of apparent domestic consumption.

2. On the basis of two shifts per day, Canadian capacity to produce frozen potato products increased only marginally from 1977 to 1978, or from 550

[2] The statement was submitted to the Commission as Action Jacket No. OP1–80–007 and was read into the record at the Commission meeting of Feb. 7, 1980.

[3] See Table 1 of this report, p. A–30.

million pounds to 570 million pounds. Based on these capacity estimates, Canada operated at 70 percent of capacity in both years. Over 90 percent of Canadian output of frozen potato products in 1977 and 1978 was for consumption in Canada. McCain Foods, Ltd., which in 1978 held about half the Canadian capacity to produce frozen potato products, * * * (deletion of confidential information relating to the operations of McCain Foods, Ltd.)

3. U.S. consumption of frozen potato products nearly doubled during the past decade. During 1975–78 annual apparent consumption rose by nearly 900 million pounds to 3.9 billion pounds, an increase of 29 percent. In the first 6 months of 1979, such consumption was only slightly less than that in the first 6 months of 1978. U.S. per capita consumption of frozen potato products rose from 11.1 pounds in 1970 to 17.6 pounds in 1978, equivalent to an average annual rate of growth of 5.9 percent; between 1975 and 1978 per capita consumption rose at an annual rate of 8.1 percent.

4. According to a memorandum (dated December 31, 1979) from the Director, Office of Policy, Office of the Assistant Secretary of the Treasury for Trade Administration, to the General Counsel of the Treasury, the approximate aggregate net benefit accruing to the subject frozen potato products under the various Canadian programs was 2.41 percent ad valorem, f.o.b. value of plant shipments.

5. the report of the House Committee on Ways and Means on the Trade Agreements Act of 1979 states (at page 47) that "With regard to the standard for a threat of material injury, the Committee intends that the ITC affirmative determination shall be based upon evidence showing that the threat *is real and imminent and not upon mere supposition or conjecture.*" (italics added). Similarly, the report of the Senate Committee on Finance on the act states (pages 88 and 89) that "An ITC affirmative determination with respect to threat of material injury must be based upon information showing that the threat *is real and injury is imminent, not a mere supposition or conjecture.*" *(italics added).*

IV. Recommendation

In conclusion, on the basis of my review of the information developed during this investigation, I recommend that the Commission determine that there is no reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or that the establishment of an industry in the United States is materially retarded, by reason of the importation of grozen potato products from Canada upon which subsidies are allegedly provided by the Government of Canada.

By order of the Commission.

Issued: February 15, 1980.

Kenneth R. Mason,

Secretary.

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BILLING CODE 7020-02

[731-TA-8 (Preliminary), 731-TA-9 (Preliminary), 731-TA-10 (Preliminary), and 731-TA-11 (Preliminary)]

Sodium Hydroxide, in Solution (Liquid Caustic Soda), Provided for Under Item No. 421.08 of the Tariff Schedules of the United States From the Federal Republic of Germany, France, Italy, and the United Kingdom; Determinations of "No Reasonable Indication of Material Injury"

On the basis of the record developed during the course of investigations Nos. 731–TA–8 (Preliminary), 731–TA–9 (Preliminary), 731–TA–10 (Preliminary), and 731–TA–11 (Preliminary), undertaken by the United States International Trade Commission under section 733(a) of the Tariff Act of 1930, as added by title I of the Trade Agreements Act of 1979, the Commission has determined unanimously that there is no reasonable indication that an industry in the United States is materially injured, threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports from the Federal Republic of Germany, France, Italy, or the United Kingdom, of sodium hydroxide, in solution (liquid caustic soda), provided for under item No. 421.08 of the Tariff Schedules of the United States, which are allegedly sold at less than fair value.

Section 102(b)(1) of the Trade Agreements Act of 1979 requires the Commission to conduct preliminary antidumping investigations in cases where, on January 1, 1980, the Secretary of the Treasury (the Administering Authority prior to January 1, 1980), had begun an investigation, but had not yet made a preliminary determination under the Antidumping Act, 1921, as to the question of less-than-fair-value sales. On January 7, 1980, the Commission received advice from the Department of Commerce (the Administering Authority effective January 1, 1980), that such investigations had been instituted prior to January 1, 1980, with respect to sodium hydroxide imported from the Federal Republic of Germany, France, Italy, and the United Kingdom. Accordingly, effective January 1, 1980, the Commission instituted preliminary antidumping investigations under section 733(a) of the Tariff Act of 1930, as amended, to determine whether there is a reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of such merchandise from the four countries.

Notice of the institution of the Commission's investigations and of the conference to be held in connection therewith was published in the **Federal Register** of January 14, 1980 (45 F.R. 2715). On January 31, 1980, a public conference was held in Washington, D.C., and all persons requesting the opportunity were permitted to appear in person or by counsel.

Statement of Chairman Catherine Bedell and Commissioners George M. Moore and Michael J. Calhoun in Support of the Determinations in the Investigations Nos. 731–TA–8 (Preliminary), 731–TA–9 (Preliminary), 731–TA–10 (Preliminary), and 731–TA–11 (Preliminary): Sodium Hydroxide From the Federal Republic of Germany, France, Italy and the United Kingdom

On the basis of the best information available to the Commission in these investigations, Nos. 731–TA–8, 9, 10, and 11 (Preliminary), we determine that there is no reasonable indication that an industry in the United States is materially injured, threatened with material injury, or the establishment of an industry in the United States is materially retarded,[1] by reason of imports from the Federal Republic of Germany, France, Italy, or the United Kingdom, of sodium hydroxide, in solution (liquid caustic soda), provided for under item No. 421.08 of the Tariff Schedules of the United States, which are allegedly sold at less than fair value.

The following findings and conclusions, based on the record in this investigation, support our determination:

I. *No reasonable indication of material injury*—A. *Volume of imports.*

1. Levels of imports from these countries increased from 77,536 short tons in 1976 to 161,188 short tons in 1978, but levels for the interim period of January–October decreased from 132,921 short tons in 1978 to 79,587 short tons in 1979.

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[1] The question of the material retardation of the establishment of an industry in the United States was not raised as an issue in this investigation.

2. The ratio of imports from the four countries to U.S. consumption has remained at low levels, increasing from 0.85 percent in 1976 to 1.74 percent in 1978, then decreasing from 1.78 percent in January–October 1978 to 0.87 percent in January–October 1979.

B. *Effect of imports on U.S. prices.*

3. The alleged less than fair value (LTFV) margins indicated in Treasury's file were substantial. However, the best information available on pricing indicates that in the Northeast area of the United States, where imports are concentrated, the lowest prices for the bulk of sodium hydroxide sales made by suppliers to distributors are on those sales made by large U.S. producers that supply the area from their domestic production facilities. This situation, in which both imports and the smaller U.S. producers are substantially undersold in the Northeast area by their larger domestic competitors, indicates that any price suppression or price depression that may have occurred is not a result of alleged LTFV imports.

C. *Impact on affected industry.*

4. Petitioner Linden Chemicals and Plastics, Inc., represents only a minimal percentage of total domestic production of merchandise that is the subject of these investigations, and was not joined in its complaint by any other U.S. producers.

5. Total U.S. production of sodium hydroxide in solution increased from 10.0 million short tons in 1976 to 10.7 million short tons in 1978. Total U.S. production increased from 8.8 million short tons in January–October 1978 to 10.2 million short tons in January–October 1979.

6. Available data show that total shipments by reporting U.S. producers increased from 3.3 million short tons in 1976 to 4.9 million short tons in 1978. Total shipments by U.S. producers increased from 4.4 million short tons in January–November 1978 to 5.1 million short tons in January–November 1979.

7. Data obtained by questionnaires, although incomplete, indicate that the overall total for domestic sales of all grades of sodium hydroxide increased, in terms of quantity, from 1976 to 1978, and in the first 11 months of 1979 compared with the corresponding period in 1978.

8. From January–November 1978 to the corresponding period of 1979, the aggregate net profit of those firms providing complete financial data to the Commission increased substantially.

9. Domestic capacity utilization decreased from 1976 to 1977 but has increased since 1977 to 81.3% in 1979, a level higher than in any of the preceding years examined.

10. Consideration of material injury as to producers in the Northeast region as a separate regional industry is inappropriate in this case. (See the definition of "regional industries" in Sec. 771(4)(C) of the Tariff Act of 1930, as amended, 19 U.S.C. 1677 (4)(C).) Demand in that market is supplied to a substantial degree by producers located elsewhere in the U.S., primarily in the Gulf Coast States.

11. Notwithstanding its claim of injury from alleged LTFV imports, Linden Chemicals and Plastics, during the period under investigation, purchased three new production facilities for sodium hydroxide, one of which is located in the Northeast area which Linden asserts is subject to the greatest impact from the alleged LTFV imports.

An evaluation of these relevant factors reveals no reasonable indication of material injury to the affected industry.

II. *No reasonable indication of threat of material injury.*

12. In providing guidance to the Commission with regard to the standard for finding a threat of material injury, Congress has indicated the following: An affirmative determination shall be based on evidence showing that the threat is real and imminent. Consideration should be given to such trends as the rate of increase of dumped exports to the U.S. market, capacity in the exporting country to generate exports, and the availability of other export markets.[2]

13. Imports from the four countries involved in this investigation decreased in 1979, both absolutely and relative to U.S. consumption. (See paragraph 1, above.)

14. Recent trends, noted in paragraphs 5 through 9 above, are generally favorable to the domestic industry.

15. No evidence has been presented to the Commission regarding capacity in the exporting countries or availability of other export markets.

An evaluation of these relevant factors reveals no "real and imminent" threat of material injury to the affected industry.

Views of Vice Chairman Bill Alberger

Having considered the record in investigations Nos. 731–TA–8 (Preliminary) through 731–TA–11 (Preliminary), I determine that there is no reasonable indication that an industry in the United States is materially injured, threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports from the Federal Republic of Germany, France, Italy, or the United Kingdom, of sodium hydroxide in solution (liquid caustic soda), provided for under item number 421.08 of the Tariff Schedules of the United States which are allegedly sold at less than fair value.

I adopt in full findings 1 through 10 of the attached "Supporting Statement by the Director of Operations for a Negative Determination * * *" This statement is a part of the record [1] and accurately analyzes the factors which we are required by the statute to consider. In addition, I add the following findings which I believe are relevant to my determination:

(1) The import penetration levels for France, Italy, and the United Kingdom have each remained at less than 1 percent of U.S. consumption during the 1976–78 period. The ratio of imports from the Federal Republic of Germany increased during this same period, but in 1978 amounted to only slightly over 1 percent.[2] When these figures are compared with the continued increase in U.S. productive capacity of sodium hydroxide since 1976,[3] it is evident that there is no reasonable indication of injury to the domestic industry by reason of these imports.

(2) It is my practice to vote separately by country in Commission meetings since separate case numbers are assigned. It is an obligation of each Commissioner to carefully consider "material injury * * * by reason of * * *" questions for each country separately and in various combinations. It is my view after review of the entire record that these imports from these four countries are not causing the requisite degree of injury whether the countries are considered separately or in combination.

Supporting Statement by the Director of Operations for a Negative Determination in Sodium Hydroxide, in Solution (Liquid Caustic Soda), From the Federal Republic of Germany (No. 731–TA–8 (Preliminary)), France (No. 731–TA–9 (Preliminary)), Italy (No. 731–TA–10 (Preliminary)), and the United Kingdom (No. 731–TA–11 (Preliminary))

1. Notwithstanding the relatively high LTFV margins that were found for all four countries in Treasury's initial investigatory activities, the best information available on pricing

[2] See H.R. Rep. No. 96–317 on the Trade Agreements Act of 1979, at page 47. See also sec. 207.26(d) of the Commission Rules, 19 CFR 207.26(d).

[1] The statement was submitted to the Commission as Action Jacket No. OP1–80–013.

[2] Table 26 of the Report.

[3] Table 4 of the Report.

indicates that in the Northeast area of the United States, where imports are concentrated, by far the lowest priced suppliers to distributors of 50 percent solution sodium hydroxide are large U.S. producers that supply the region from their domestic production facilities. This situation, in which both imports and the smaller U.S. producers are undersold by large amounts by their larger domestic competitors in the Northeast region indicates that any price suppression or price depression that may have occurred has not occurred as a result of alleged LTFV imports.

2. The ratio of imports from the four countries to U.S. consumption remained at low levels, increasing from 0.85 percent in 1976 to 1.74 percent in 1978. The ratio dropped from 1.78 percent in January–October 1978 to 0.87 percent in January–October 1979.

3. Available data show that total shipments by reporting U.S. producers increased from 3.3 million short tons in 1976 to 4.9 million short tons in 1978. In addition, total shipments by U.S. producers increased from 4.4 million short tons in January–November 1978 to 5.1 million short tons in January–November 1979.

4. Total U.S. production of sodium hydroxide in solution increased from 10.0 million short tons in 1976 to 10.7 million short tons in 1978. Total U.S. production increased from 8.8 million short tons in January–October 1978 to 10.2 million short tons in January–October 1979.

5. From January–November 1978 to the corresponding period in 1979 the aggregate net profit of those firms providing complete financial data to the Commission increased substantially.

6. Available data show that the overall total for domestic sales of all grades of sodium hydroxide increased from 1976 to 1977.

7. Domestic capacity utilization decreased from 1976 to 1977 but increased since 1977 to a level in 1979 higher than that of any of the preceding years examined.

8. Although the complainant asserted that these investigations should be decided on a regional market basis, I have found that the Northeast area, where all the complainants' production facilities were, until recently, located, and where all of the complainants' sales as well as sales of alleged LTFV imports are concentrated, does not qualify for the definition of a regional market under the antidumping statutes because it is served to a large extent by U.S. producers whose production facilities are located outside the region, primarily in the Gulf Coast States.

9. The complainant, Linden Chemicals & Plastics, Inc., represents only a minimal percentage of total domestic production of merchandise that is the subject of these investigations, and was joined in its complaint by no other U.S. producers.

10. Notwithstanding its claim of injury from alleged LTFV imports, Linden Chemicals & Plastics, Inc., during the period under investigation, purchased three new production facilities for sodium hydroxide, one of which is located in the Northeast area that Linden asserts is subject to the greatest impact from the subject imports.

11. *Conclusion*—On the basis of the above, I recommend a negative determination as to whether there is a reasonable indication of injury with respect to sodium hydroxide in solution which is alleged to be sold at less than fair value from the countries concerned.

Views of Commissioner Stern in Support of the Negative Determinations in Investigations Nos. 731–TA– 8, 9, 10 and 11 (Preliminary): Sodium Hydroxide From Federal Republic of Germany, France, Italy and United Kingdom

On the basis of the record in these investigations, I determine that there is no reasonable indication (1) that an industry in the United States is either materially injured, threatened with material injury, or that the establishment of an industry in the United States is materially retarded,[1] and (2) that any injury is not by reason of the importation of sodium hydroxide from the Federal Republic of Germany, France, Italy, and the United Kingdom. Because the relevant statute is so new, I believe some general consideration of its provisions would be helpful before considering the details of these investigations.

In order for the Commission to find in the affirmative in a preliminary antidumping injury determination under Section 733 of the Tariff Act of 1930 (19 U.S.C. 1673(b)), it is necessary to find that sufficient information has been presented to show that there is a reasonable indication that (1) an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, and that (2) injury is by reason of imports of the merchandise which is the subject of the investigation allegedly sold or likely to be sold at less than fair value (LTFV).

[1] The question of material retardation of the establishment of an industry in the United States is not an issue in this investigation.

The Tariff Act of 1930 (Sec. 733(a)) directs the Commission to "make a determination based upon the best information available to it at the time of the determination * * *" The Act in Sec. 771(7)(B) mandates that the Commission shall consider (i) the volume of subject imports, (ii) their effect on the domestic price of the like product, and (iii) their impact on the domestic producers of the like product. In Sec. 771(7)(C), the Act further specifies a series of economic factors that the Commission must include in these considerations.[2] The statute states in Sec. 771(7)(E)(ii) that: "The presence or absence of any factor which the Commission is required to evaluate under paragraph (C) * * * shall not necessarily give decisive guidance with regard to the determination by the Commission of material injury."

No Material Injury to the Domestic Industry

(1) Total U.S. production of sodium hydroxide in solution increased from 10.0 million short tons in 1976 to 10.7 million short tons in 1978. Total U.S. production increased from 8.8 million short tons in January–October 1978 to 10.2 million short tons in January–October 1979.

(2) Available data show that total shipments by reporting U.S. producers increased from 3.3 million short tons in 1976 to 4.9 million short tons in 1978. In addition, total shipments by U.S. producers increased from 4.4 million short tons in January–November 1978 to 5.1 million short tons in January–November 1979.[3]

(3) Available data show that the overall total for domestic sales of all grades of sodium hydroxide increased from 1976 to 1978.

(4) From January–November 1978 to the corresponding period in 1979 the aggregate net profit of those firms providing complete financial data to the Commission increased substantially.[4]

(5) Although domestic capacity utilization decreased from 1976 to 1977,

[2] 19 U.S.C. 1677(7)(C)(iii) mentions output, sales, market share, profits, productivity, return on investment, capacity utilization, factors influencing domestic prices, cash flow, inventories, employment, wages, growth, ability to raise capital, and investment.

[3] No data were made available for 1976 or 1977 for Dow Chemical U.S.A., the largest domestic producer. I did not find the absence of complete data on Dow decisive because: (a) the data that were submitted by Dow do not indicate injury; (b) Dow neither supported the petition nor alleged injury; and (c) the data on the remainder of the industry do not support an affirmative finding.

[4] Because there has been no withholding of appraisement in this case following the submission of the petition, it seems appropriate to compare the 1979 data to those of earlier periods.

it has since 1977 grown to a level in 1979 higher than that of any of the preceding years examined.

(6) Notwithstanding the petitioner's claim of injury from alleged LTFV imports, Linden Chemicals and Plastics purchased during the period under investigation three new production facilities for sodium hydroxide, one of which is located in the Northeast area that Linden asserts is subject to the greatest impact from the alleged LTFV imports.

(7) No information is found in the record regarding the domestic industry's return on investment, cash flow, and ability to raise capital. The absence of information on these factors was not decisive in this case.

Alleged LTFV Imports Not the Cause of Any Material Injury

(8) Imports from West Germany, France, Italy and the United Kingdom grew from 77,537 short tons in 1978 to 161,188 in 1978. However, in the first ten months of 1979 they declined to 79,587 short tons from the 132,921 short tons imported during the comparable period in 1978.

(9) Notwithstanding the relatively high LTFV margins for all four countries indicated by Treasury's initial investigatory activities, the best information available on pricing indicates that in the Northeast area of the United States, where imports are concentrated, large U.S. producers supplying the region from their domestic facilities are by far the lowest priced suppliers to distributors of 50 percent solution sodium hydroxide. Because both importers and the smaller U.S. producers have been significantly undersold by their larger domestic competitors in the Northeast area, any price suppression or depression that may have occurred has not been due to alleged LTFV imports.

(10) The ratio of imports from the four countries to U.S. consumption remained at low levels, increasing from 0.85 percent in 1976 to 1.74 percent in 1978. The ratio dropped from 1.78 percent in January–October 1978 to 0.87 percent in January–October 1979.

No Regional Industry

(11) The petitioner asserted that these investigations should be decided on a regional industry basis. The Trade Agreements Act of 1979 amended the Tariff Act of 1930 to include specific conditions for the treatment of producers in a geographical area as a separate regional industry within the meaning of the law.[5] The domestic producers must sell all or almost all of their production in the area and the demand for the product in that area cannot be supplied to any significant degree from the United States producers not located there. Both conditions must be met.

(12) The Northeast area, where all the petitioner's production facilities were located until recently, and where all the petitioner's sales as well as the sales of the alleged LTFV imports are concentrated, does not qualify as a regional market within the meaning of the antidumping statute because it is served to a large extent by U.S. producers whose production facilities are located outside the region, primarily in the Gulf Coast States. In 1976, total reported domestic sales in the Northeast area exceeded local productive capacity by 299,000 short tons, in 1977 by 46,000 short tons, and in 1978 by 96,000 short tons. In 1979, due to rapid local expansion, capacity may for the first time exceed domestic sales in the area.

No Threat of Material Injury

(13) The recent decline in subject imports' market penetration and the expansion undertaken by the petitioner, as well as the other factors cited above, do not give any reasonable indication that the alleged LTFV imports threaten the domestic industry with material injury.

By order of the Commission.

Issued: February 14, 1980.

Kenneth R. Mason,

Secretary.

[FR Doc. 80-5410 Filed 2-20-80; 8:45 am]

BILLING CODE 7020-02-M

[5] Subparagraph (C) of 19 U.S.C. 1677 states: "In appropriate circumstances, the United States, for a particular product market, may be divided into 2 or more markets and the producers within each market may be treated as if they were a separate industry if—(i) the producers within such market sell all or almost all of their production of the like product in question in that market, and (ii) the demand in that market is not supplied, to any substantial degree, by producers of the product in question located elsewhere in the United States."

[Investigations Nos. 701-TA-4 (Final) and 701-TA-5 (Final)]

Taps, Cocks, Valves and Similar Devices, and Parts Thereof From Italy and Japan; Termination of Investigations and Cancellation of Hearing

AGENCY: U.S. International Trade Commission.

ACTION: Termination of the two captioned investigations under section 704 of the Tariff Act of 1930.

EFFECTIVE DATE: February 12, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. John MacHatton, Office of Investigations, telephone number (202) 523-0439.

SUPPLEMENTARY INFORMATION: By notice issued January 10, 1980, and published in the **Federal Register** (45 FR 3400 (January 17, 1980)), the Commission instituted the subject investigations to determine whether with respect to the articles involved an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of the subsidized imported merchandise. A public hearing was scheduled, on a tentative basis, to be held at the International Trade Commission Building, on April 2, 1980.

On February 4, 1980, the Commission received a letter from counsel for the original petitioner for the countervailing duty investigations. The text of that letter is reproduced below.

Mrs. Catherine Bedell,
Chairman, U.S. International Trade Commission,
Room 208, 701 E Street, N.W.,
Washington, D.C.

January 31, 1980.

Dear Madam Chairman: I am writing to inform you on behalf of the Valve Manufacturers Association that the Valve Manufacturers, petitioners in a countervailing duty case against Japan and Italy, wish to withdraw their petition. I request, as a result, that the International Trade Commission accept this withdrawal and notify all companies who have received questionnaires of the withdrawal. Thank you.

Sincerely,

David A. Hartquist,
Counsel, Valve Manufacturers Association.

The legal authority for a request to withdraw a petition for a countervailing duty investigation and the legal authority for the Commission to terminate an investigation in response to a request to withdraw the petition are found in section 704 of the Tariff Act of 1930. The only restriction on the Commission's authority to terminate is that all parties to the investigation must be notified of the termination. In the instant case only the petitioners have appeared as parties before the Commission. For these reasons the Commission is granting the request and terminating these investigations. In addition to notifying interested persons who have not appeared before the agency, the Commission is notifying the Department of Commerce of its action in these cases.

By order of the Commission.

Issued: February 13, 1980.

Kenneth R. Mason,

Secretary.

[FR Doc. 80-5415 Filed 2-20-80; 8:45 am]

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DEPARTMENT OF JUSTICE

Antitrust Division

Comment and Response To Proposed Final Judgment in United States v. Chelsea Industries, Inc., et al.

The Antitrust Division has reviewed a comment concerning its proposed Final Judgment in *United States v. Chelsea Industries, Inc., et al.*, Civil Action No. 78-3224-C. The proposed Final Judgment and a Competitive Impact Statement were filed with the United States District Court for the District of Massachusetts on November 30, 1979.

The comment and the Antitrust Division's response are attached hereto for publication pursuant to the Antitrust Procedures and Penalties Act of 1974, 15 U.S.C. 16(d). These materials have also been filed with the United States District Court for the District of Massachusetts.

Joseph H. Widmar,

Director of Operations.

Myers and Brown

Concord, N.H., January 24, 1980.

Re United States of America v. Chelsea Industries Inc. and Avon Tape Inc. Civil Action No. 78-3224-C

Mr. Anthony V. Nanni,

Department of Justice, Antitrust Division, Washington, D.C. 20530.

Dear Mr. Nanni: Please be advised that I represent Action Manufacturing, Inc., of Gonic, New Hampshire, a small manufacturer of pressure sensitive tape for the shoe industry.

Pursuant to 15 USC § 16(d), this letter is to serve as a commentary on the Proposed Final Judgment entered into by the plaintiff, United States of America; and the defendants, Chelsea Industries, Inc., and Avon Tape, Inc. in connection with Civil Action No. 78-3224-C.

The Proposed Final Order and the Competitive Impact Statement both serve to prohibit certain conduct, while at the same time requiring affirmative conduct from the defendants in lieu of a full trial on the above action. While the desired result of the Final Order and Competitive Statement is to restore competition to the shoe tape industry, neither reach far enough vis-a-vis their limits on the defendants to effect this desired result.

Specifically, the Proposed Final Judgment (III, Page 2) fails to take into account the import of limiting the defendants' ability to fix, maintain, and stabilize the price of pressure sensitive tape sold in foreign markets. Virtually all of the tapes sold abroad by the defendants is manufactured in the United States. To the extent that defendants are not prohibited from setting prices on these products, they remain free to subsidize their domestic sales with exorbitant prices abroad. Moreover, given the overwhelming market shares of the defendants in the United States, any small company such as Action would naturally try to become a viable domestic competitor by building up its financial strength through foreign sales. Once that financial strength was sufficient, Action or others in its situation would be in a much better position to compete in the domestic market. The omission of limitations or international activities should be of particular concern in light of the dominant competitive influence that international shoe sales have on the U.S. domestic market. American shoe manufacturers and retailers import 53 percent of the shoes sold in the U.S. market. Because 60 percent of our client's sales volume is currently outside of the domestic market, the effect of not including international sales in the Final Order is to allow the defendants to operate directly at the expense of our client's international sales and indirectly at the expense of the domestic consumer who is no doubt paying the price of any price fixing activities concerning the international market.

Section 1 of the Sherman Antitrust Act was designed and has been interpreted to prohibit those activities which have the purpose *or* effect of stabilizing price or competition. *US. v. Gypsum* 438 US 422, 98 Sct 2864 (1978). The notion that external business activities in violation of U.S. antitrust laws may affect internal trade and commerce so as to confer jurisdiction upon U.S. courts to enjoin such activity was recognized as early as 1927 in *U.S. v. Sisal Sales Corp.* 274 U.S. 268, 71 L.Ed. 1042, 47 Sct. 592.

Clearly the Final Judgment as proposed would not amerliorate the restraint on competition in the shoe tape industry if the defendants were allowed to continue to engage in activities which would affect over one half of the entire U.S. market. Such a result certainly would not be in the public interest as required under 15 USC § 16. Therefore, it is recommended that the Proposed Final Judgment be modified at (III, Page 2) to include international sales. Accordingly, it is recommended that (VII c 2, Page 4) of the same be modified to "Adopt and publish domestic *and international* prices, discounts."; that (III, Page 5) of the Competitive Impact Statement be modified to include "In addition . . . lawful considerations to adopt publish domestic and *international* prices, discounts, etc. . . ."

It is also our belief that the Proposed Final Judgment and Competitive Impact Statement could be modified to more effectively restore competition to the shoe tape industry by requiring additional affirmative conduct on the part of the defendants.

Specifically, the requirement at (VII a, Page 4) of the Proposed Final Judgment should be expanded to provide that: Defendant shall provide a copy of this final judgment to each of its existing customers and *to any new customers* within 30 days after the judgment is entered and annually on the anniversary of this judgment for the next five (5) consecutive years. Notice shall be by registered mail to the Chief Executive Officer of each customer. Mail receipts shall be retained by each defendant in its corporate files. Similarly, the Competitive Impact Statement at (III, Page 5) should be modified to require each defendant to provide a copy of the Final Judgment and a copy of the Competitive Impact Statement to each of its existing customers and subsequent new customers . . . "at least once each year for five (5) years after the entering of the Final Judgment." It is also proposed that the Competitive Impact Statement be modified under the Section entitled "Remedies Available to Private Litigants" (IV, Page 7, paragraph 1; Sentence 3) to provide that these potential private plaintiffs may encourage the Attorney Generals of their respective states to sue, etc. . . . in their names. Finally, the Competitive Impact Statement should be modified in the section on "Procedure Available for Modification of Proposed Final Judgment" to require that notice of the opportunity to comment on the proposed Final Judgment be advertised in shoe trade journals in the U.S. *and* abroad.

The implementation of the proposed modifications will aid in deterring the defendant from engaging in any further anticompetitive activities by giving notice to past customers who may, in the context of a competitive market wish to take their business elsewhere. In addition, prospective customers under the proposed modifications would be able to make an informal decision as to whom they should patronize.

It is too great a threat that the defendants will simply absorb the fines levied; which in Chelsea's case amounts to less than 20,000 per year and which may be treated as an acceptable business expense. The proposal to require that notice be given to present and prospective customers will provide a self executing oversight mechanism. At the same time it would allow customers to make a more informed business decision thereby facilitating the return of competitive equilibrium to a market which is totally dominated by the defendants.

To summarize, the Proposed Final Judgment and Competitive Impact Statement recognize the desired result. However, by failing to specifically prohibit illegal pricing activity in foreign markets, the door has been left open for the defendants to exert monopoly pressure on the U.S. shoe tape market. By including the additional requirements regarding notice to customers of the defendants propensity toward illegal pricing activity, the Final Order may indeed restore competition to the shoe tape industry. In its present form, however, the Proposed Final Judgment will not accomplish this purpose and is therefore not in the public interest as required under 15 USC § 16.

Respectfully submitted, Action Manufacturing, Inc., by its attorneys, Myers and Brown.

Howard B. Myers.

U.S. Department of Justice,

Washington, D.C., February 7, 1980.

Re United States v. Chelsea Industries, Inc., et al., Civil No. 78-3224-C (D. Massachusetts).

Howard B. Myers, Esquire,

Myers and Brown, Four Park Street, Concord, N.H.

Dear Mr. Myers: This letter will respond to the comments you have filed on behalf of Action Manufacturing, Inc., of Gonic, New Hampshire with regard to the proposed Final Judgment and Competitive Impact Statement in the above-captioned case.

Your letter essentially addresses two points: first, that the defendants in this case

excessively price and fix the prices of pressure sensitive tape products sold in foreign markets which influences the domestic market for such products; and secondly, that the notification provisions of the proposed Final Judgment are insufficient to restore competition to the domestic shoe tape industry.

Your first comment with regard to the defendants' foreign activities alleges that the defendants charge excessive prices and fix the prices of pressure sensitive tape products which they manufacture in the United States and sell abroad. You imply that because American manufacturers and retailers import more than fifty percent of the shoes sold in the United States, this results in higher domestic prices for shoes sold in this country and further entrenches the defendants' substantial domestic market position. These factors allegedly affect your client adversely.

In the first instance, it is important to recognize that both the criminal and civil cased filed against these defendants were virtually identical insofar as the substantive offense alleged. They were charged with fixing the prices of pressure sensitive tape products sold to the shoe industry throughout the United States. Both cases were strictly limited to the domestic market for two reasons. First, there were no substantiated allegations that the defendants' price-fixing activity extended beyond the United States. The second reason was that even if such illegal pricing activity did occur in foreign markets, jurisdiction in the United States seemed highly doubtful. The reasons for this are partly revealed by the limited scope of your comment. While your comment asserts that excessive pricing and price fixing by the defendants does occur in foreign markets, your letter does not provide any specific proof to substantiate your client's allegations. No evidence or detailed information of any kind has ever been presented to the Antitrust Division that would support these contentions. Moreover, assuming *arguendo* that the excessive pricing referred to does exist, no evidence has been presented that would indicate that this has resulted from collusion. In addition, if price fixing is occurring in foreign markets, there is no evidence to indicate that a conspiracy was formed in the United States or that the products affected ended up in the United States. Despite your reference to the fact that American manufacturers and retailers import more than fifty percent of all shoes sold in the United States, no information has been provided that would facilitate a determination of whether shoes which are imported into this country contain price-fixed materials sold by these defendants.

You also assert that the defendants have substantial market shares in the United States and that they are exercising monopoly pressure on your client in the United States by subsidizing domestic sales with profits from foreign sales. Once again, no evidence has been presented to substatiate this assertion. Assuming, however, that is true, if your client feels that it has been aggrieved by this action, you are free to seek redress by filing a monopolization case against the defendants in an appropriate jurisdiction, which I understand you have done. *Action Manufacturing, Inc. v. Chelsea Industries, Inc.*, Civil Action No. 78-36 (D. New Hampshire). Under these circumstances, it would appear that your client's rights will be adequately protected and that it will be given more than ample opportunity to air its complaints.

Based on the foregoing considerations, and in view of the allegations of the Complaint, it is clear that the modifications you have suggested would exceed the scope of the Complaint, the present jurisdiction of the Court, and would be legally inappropriate in the present circumstances.

Your second comment suggests that the notification provisions of the proposed Final Judgment and Competitive Impact Statement be modified to require the defendants to notify each of its existing customers and any new customers of the Final Judgment; that potential private plaintiffs may encourage state Attorneys General to sue on their behalf; and that the Final Judgment be published in shoe trade journals in the United States and abroad. These modifications will, allegedly, more fully restore competition to the domestic shoe tape industry.

As I am sure you can appreciate, the formulation of effective affirmative relief is a matter which depends on the facts and circumstances of each case. The overriding objective in every case is to restore competition to the industry in a manner which seems most likely to effectively counterbalance the specific type of offense that has been committed. In this case, where published prices were fixed by agreement between the defendants, our primary concern has been to find a way to assure that it does not occur again.

The most direct and effective method of correcting the price fixing that occurred in this case was the one outlined in Section VII, Paragraphs C., D. and E. of the proposed Final Judgment. These provisions require each defendant to withdraw its present prices, discounts and other terms and conditions of sale for pressure senstitive tape products sold in the United States, and to reformulate and republish new prices on the basis of and after an independent review of their costs, margins and other lawful considerations. This republication and all subsequent price changes for the next five years must be certified under oath; each company must file affidavits stating that price changes have been made only after an independent review by each company, in other words, not in collusion with each other or any other manufacturer. This is unquestionably the most direct way of reaching the heart of the problem. While your suggestion about notifying existing and new customers of the Final Judgment was carefully considered, we felt at the time that these provisions were drafted, and continue to believe, that they represent the most effective way of correcting the problem that was found in this particular case.

With regard to your suggestion that the Competitive Impact Statement be amended to provide that potential private plaintiffs can encourage state Attorneys General to sue the defendants on their behalf, we would remind you that potential plaintiffs are always free to do so, and state Attorneys General are free to pursue appropriate legal action under Section 4C of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, 15 U.S.C. § 15c, and their own state laws. We would also point out that neither the proposed Final Judgment nor the Competitive Impact Statement imposes any restriction, except as provided by law, on anyone who may be interested in redressing any grievance against these defendants arising from their illegal conduct.

Your final comment suggests that the Competitive Impact Statement should be modified to require advertising in shoe trade journals in the United States and abroad in soliciting comments about the proposed Final Judgment. It is our view that your request to enlarge the geographic scope from which comments on the proposed Final Judgment may be sought to include publication abroad, exceeds the express statutory language of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(c), and is not appropriate in this case since the offense charged occurred within the United States.

With regard to your suggestion that comments about the judgment be advertised in domestic shoe trade journals, we would bring to your attention the fact that these cases have already received considerable publicity.[1] In addition, the Antitrust Division has fully met its legal responsibility with regard to the solicitation of comments concerning the proposed Final Judgment in the case in compliance with the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(c).[2] In light of these facts, more than ample opportunity has been provided to anyone who wished to comment about these cases and the proceedings related thereto.

We appreciate your comments and suggestions about the proposed Final Judgment and Competitive Impact Statement in this case. However, we are satisfied that an objective analysis of the facts and circumstances would clearly establish that the proposed Final Judgment does contain effective remedial relief to correct the effects of the offense committed by these defendants and is in the public interest. For this reason, the Antitrust Division will urge the Court to enter the proposed Final Judgment as originally submitted.

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[1] Listed below are the dates of articles published in the newspapers indicated about the case(s) concerning these defendants. We have also been advised that the disposition of the criminal case was reported in other major newspapers of general circulation, *e.g.*, *New York Times*. It should be noted that the *Footwear News* is the principal newspaper of the domestic shoe industry.

May 9, 1978—Wall Street Journal
Dec. 15, 1978—Wall Street Journal
Dec. 15, 1978—Boston Globe
Jan. 1, 1979—Footwear News
Feb. 2, 1979—Boston Globe
Feb. 2, 1979—Boston Herald American
Feb. 6, 1979—Wall Street Journal
Feb. 12, 1979—Footwear News

[2] Information concerning the proposed Final Judgment and Competitive Impact Statement in this case was published in the following newspapers of general circulation on the dates indicated:

Dec. 12-18, 1979—Washington Star
Dec. 13-19, 1979—Boston Globe

Very truly yours,
Robert E. Bloch,
Attorney, Antitrust Division.

[FR Doc. 80-5320 Filed 2-20-80; 8:45 am]

BILLING CODE 4410-01-M

United States v. South Carolina Health Care Association, Inc.; Proposed Final Judgment and Competitive Impact Statement

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. Section 16(b) through (h), that a proposed Final Judgment, Stipulation and Competitive Impact Statement (CIS) have been filed with the United States District Court for the District of South Carolina in *United States of America v. South Carolina Health Care Association, Inc.*, Civil No. 79-1742-9. The complaint in this case alleged that the defendant engaged in a combination and conspiracy with others to raise the price of nursing home services in South Carolina paid under the Medicaid program.

The proposed Final Judgment enjoins the defendant from acting as an agent on behalf of its members in connection with any decision to accept or reject Medicaid provider contracts, or any part thereof. The defendant is also prohibited from participating in or furthering any agreement, understanding, plan or course of conduct having the purpose or foreseeable effect that nursing homes jointly determine to (1) accept or reject any or all of the terms of Medicaid provider contracts; (2) reject or discharge Medicaid patients; or (3) threaten not to participate in the Medicaid program. The defendant is further prohibited from advocating, recommending or inducing nursing homes to engage in any of the above mentioned activities. Finally, the defendant is prohibited from allowing at its meetings any course of conduct, or discussion of any plan, with the purpose or foreseeable effect that nursing homes, or any nursing home, accepts or rejects any terms of a Medicaid contract, rejects or discharges Medicaid patients, or threatens not to participate in the Medicaid program.

Except as otherwise prohibited by the proposed Final Judgment, the defendant may represent nursing homes, or any nursing home, in any *bona fide* judicial or administrative law proceeding; may represent nursing homes by advocating or discussing changes in the Medicaid program before any federal or state governmental body; and may disseminate factual information about the Medicaid program to nursing homes.

The proposed Final Judgment requires that the defendant furnish a copy of the judgment to each of its members, as well as to new members as they join, together with a letter explaining its terms. Also, the defendant is required to furnish to the Court and the plaintiff an affidavit as to the fact and manner of its notification of its members and future members.

The proposed Final Judgment requires that thirteen months after entry of the judgment and every two years thereafter, the defendant audit its operations to determine compliance with the judgment and with the antitrust laws. Its findings must be filed with the Court and the plaintiff.

The proposed Final Judgment requires that the defendant adopt a written statement setting forth its policy regarding compliance with the antitrust laws and the judgment. The written compliance policy must be published in defendant's newsletter at least once a year for three consecutive years. The proposed Final Judgment expires ten years after entry.

Public comment is invited within the statutory 60-day comment period. Such comments, and responses thereto, will be published in the **Federal Register** and filed with the Court. Comments should be directed to John W. Poole, Jr., Chief, Special Litigation Section, Room 7218, Antitrust Division, Department of Justice, Washington, D.C. 20530, (telephone: (202) 633-2425).

Joseph H. Widmar,
Director of Operations.

U.S. District Court District of South Carolina, Columbia Division

United States of America, Plaintiff, v. *South Carolina Health Care Association, Inc.*, Defendant.

Civil Action No. 79-1742-9.

Filed: February 7, 1980.

Entered:

Stipulation

It is stipulated by and between the undersigned parties, by their respective attorneys, that:

1. The parties consent that a Final Judgment form hereto attached may be filed and entered by the Court, upon the motion of any party or upon the Court's own motion, at any time after compliance with the requirements of the Antitrust Procedures and Panalties Act (15 U.S.C. 16), and without further notice to any party or other proceedings, provided that plaintiff has not withdrawn its consent, which it may do at any time before the entry of the proposed Final Judgment by serving notice thereof on defendant and by filing that notice with the Court.

2. In the event plaintiff withdraws its consent, or if the proposed Final Judgment is not entered pursuant to this Stipulation, this Stipulation shall be of no effect whatever and the making of this Stipulation shall be without prejudice to any party in this or any other proceeding.

Dated: February 7, 1980.

For the Plaintiff: John H. Shenefield, Assistant Attorney General; Mark Leddy, Charles F.B. McAleer, John W. Poole,Jr., Charles S. Stark, *Attorneys, Department of Justice;*

For the Defendant: Thomas C. Fox, William O. Bittman, Pierson, Ball & Dowd 1000 Ring Building 1200 18th Street, NW. Washington, D.C. 20036. W. Stephen Cannon, John J. Miles, *Attorneys, Department of Justice 10th & Pa. Avenue, N.W. Washington, D.C. 20530*

U.S. District Court, District of South Carolina, Columbia Division

United States of America, Plaintiff, v. South Carolina Health Care Association, Inc., Defendant.

Civil Action No. 79-1742-9.

Filed: February 7, 1980.

Final Judgment

Plaintiff, United States of America, having filed its complaint herein on August 27, 1979, and plaintiff and defendant, by their respective attorneys, having consented to the entry of this Final Judgment without trial or adjudication of any issue of fact or law herein and without this Final Judgment constituting any evidence against or an admission by any party with respect to any such issue;

Now, therefore, before the taking of any testimony and without trial or adjudication of any issue of fact or law herein and upon consent of the parties hereto, it is hereby,

Ordered, adjudged, and decreed as follows:

I

This Court has jurisdiction of the subject matter of this action and of each of the parties consenting hereto. The Complaint states a claim upon which relief may be granted against the defendant under Section 1 of the Sherman Act (15 U.S.C. 1).

II

As used in this Final Judgment:

(A) "Defendant" means the South Carolina Health Care Association, Inc.;

(B) "Medicaid" means the system of health care for indigents created by Title XIX of the Social Security Act, entitled "Grants to States for Medical Assistance Programs," and includes regulations promulgated thereunder by the United States Department of Health, Education, and Welfare (HEW), and regulations, policies and procedures of South Carolina to implement the program;

(C) "Standard provider contracts" means contracts between the States of South Carolina and nursing homes by which nursing homes agree to provide care for Medicaid beneficiaries;

(D) "Nursing home" means a provider of skilled nursing and/or intermediate care services in the State of South Carolina.

III

This Final Judgment applies to the defendant and to its officers, directors, members, agents, employees, successors and assigns, and to all other persons in active concert or participation with any of them

who shall have received actual notice of this Final Judgment.

IV

The defendant is enjoined from:

(A) Acting as an agent for nursing homes in connection with any decision to accept or reject all of any terms of Medicaid standard provider contracts;

(B) Participating in or furthering any agreement, understanding, plan or course of conduct having the purpose or foreseeable effect that nursing homes jointly determine to (1) accept or reject all or any terms of Medicaid standard provider contracts; (2) reject or discharge Medicaid patients; or (3) threaten not to participate in the Medicaid program;

(C) Advocating or recommending that nursing home(s) (1) accept or reject all or any terms of Medicaid standard provider contracts; (2) reject or discharge Medicaid patients; or (3) threaten not to participate in the Medicaid program; and

(D) Causing or permitting at any formal or informal meeting of defendant or its committees any course of conduct, or discussion of any plan, having the purpose or foreseeable effect that nursing home(s) (1) accept or reject all or any terms of Medicaid standard provider contracts; (2) reject or discharge Medicaid patients; or (3) threaten not to participate in the medicaid program.

V

Except as prohibited in Section IV, nothing herein shall prohibit defendant from:

(A) Representing nursing home(s) in any *bona fide* judicial or administrative law proceeding; or

(B) Advocating or discussing, on behalf of nursing home(s), proposed changes in the Medicaid program with any federal or state legislative body or executive agency, or any committee or member thereof; or

(C) Disseminating factual information about the Medicaid program to nursing homes.

VI

The defendant is ordered and directed:

(A) Within sixty (60) days from the entry of this Final Judgment.

(1) To send to each of its members

(a) A copy of this Final Judgment; and

(b) A letter identical in text to that attached to this Final Judgment as Appendix A;

(2) To cause the publication of this Final Judgment in the defendant's newsletter; and

(3) To file with this Court and to serve upon the plaintiff an affidavit stating the fact and manner of compliance with subsection (A) of this Section VI;

(B) To serve a copy of this Final Judgment, together with a letter identical in text to that attached to this Final Judgment as Appendix A, upon all of its future members at such time as they become members;

(C) To conduct an audit of its activities, during the thirteenth month following entry of this Final Judgment, and once during every twenty-four month period thereafter while this Final Judgment remains in effect, to determine compliance with this Final Judgment and with the antitrust laws. The audit shall be conducted or supervised by an attorney and shall include a review of defendant's files and those of its directors maintained in connection with their responsibilities as such, and interviews of defendant's officers, directors, and employees as deemed necessary by the attorney. A written report of each audit shall be promptly prepared, furnished to plaintiff and filed with the court; and

(D) To establish and adopt a written statement setting forth defendant's policy regarding compliance with the antitrust laws and this Final Judgment. The written compliance policy shall be published in defendant's newsletter at least once a year for three consecutive years.

VII

For the purpose of determining or securing compliance with this Final Judgment, and subject to any legally recognized privilege, from time to time:

(A) Duly authorized representatives of the Department of Justice shall, upon written request of the Attórney General or of the Assistant Attorney General in charge of the Antitrust Division, and on reasonable notice to the defendant made to its principal office, be permitted:

(1) Access during office hours of the defendant to inspect and copy all books, ledgers, accounts, correspondence, memoranda and other records and documents in the possession or under the control of the defendant which may have counsel present, relating to any matters contained in this Final Judgment; and

(2) Subject to the reasonable convenience of such defendant and without restraint or interference from it, to interview officers, employees and agents of the defendant who may have counsel present, regarding any such matters;

(B) Upon the written request of the Attorney General or of the Assistant Attorney General in charge of the Antitrust Division made to the defendant's principal office, such defendant shall submit such written reports, under oath if requested, with respect to any of the matters contained in this Final Judgment as may be requested;

(C) No information or documents obtained by the means provided in this Section VII shall be divulged by any representative of the Department of Justice to any person other than a duly authorized representative of the Executive Branch of the United States, except in the course of legal proceedings to which the United States is a party, or for the purpose of securing compliance with this Final Judgment or as otherwise required by law; and

(D) If, at the time information or documents are furnished by the defendant to plaintiff, such defendant represents and identifies in writing the material in any such information or documents to which a claim of protection may be asserted under Rule 26(c)(7) of the Federal Rules of Civil Procedure, and said defendant marks each pertinent page of such material "Subject to claim of protection under Rule 26(c)(7) of the Federal Rules of Civil Procedure," then 10 days notice shall be given by plaintiff to the defendant prior to divulging such material in any legal proceeding (other than a grand jury proceeding) to which the defendant is not a party.

IX

Jurisdiction is retained by this Court for the purpose of enabling any of the parties to this Final Judgment to apply to this Court at any time for such further orders or directions as may be necessary or appropriate for the construction or carrying out of this Final Judgment, for the modification of any of the provisions hereof, for the enforcement of compliance herewith, and for the punishment of any violation hereof.

X

This Final Judgment will expire ten years after date of entry.

XI

Entry of this Final Judgment is in the public interest.

Dated:

United States District Court.

Appendix A

RE: *United States* v. *South Carolina Health Care Association, Inc.*, Civil No. 79–1742–9

Dear SCHCA Member: Enclosed is a copy of the Final Judgment, filed —— 1979, in *United States* v. *South Carolina Health Care Association, Inc.*, Civil No. 79–1742–9. The terms of the Final Judgment require that a copy of it as well as this letter be sent to you. You should read the terms of the decree carefully and note that you, under certain circumstances, are bound by the provisions. The purpose of this letter is to help you understand those provisions.

Under the decree the Association is barred from participating in any plan or agreement which would result in nursing homes jointly threatening not to participate in the Medicaid program, as well as jointly determining to accept or reject all or part of the standard provider contracts, or to discharge Medicaid patients. The Final Judgment also prohibits the Association from causing or allowing nursing home representatives to discuss any of the above-mentioned actions at any formal or informal Association meetings, including committee meetings.

Finally, the Final Judgment prohibits the Association from acting as an agent on behalf of its members in connection with any decision to accept or reject Medicaid standard provider contracts.

U.S. District Court, District of South Carolina, Columbia Division

United States of America, Plaintiff, v. South Carolina Health Care Association, Inc., Defendant.

Civil Action No. 79–742–9.

Filed: February 7, 1980.

Competitive Impact Statement

Pursuant to Section 2(b) of the Antitrust Procedures and Penalties Act (15 U.S.C. 16(b)–(h)), the United States of America submits this Competitive Impact Statement relating to the proposed final judgment submitted for entry in this civil antitrust proceeding.

I

Nature of the Proceeding

On August 27, 1979, the Department of Justice filed a civil antitrust complaint under Section 4 of the Sherman Act (15 U.S.C. 4), alleging that the defendant violated Section 1 of the Sherman Act (15 U.S.C. 1). The complaint alleges a combination and conspiracy consisting of a continuing agreement, understanding, and concert of action among the defendant and various co-conspirators to raise the price of nursing home services in South Carolina paid under the Medicaid program.

Entry of the proposed final judgment will terminate the action, except that the Court will retain jurisdiction over the matter for further proceedings which may be required to interpret, modify or enforce the judgment, or to punish violations of any of its provisions.

II

Description of the Practices Involved in the Alleged Violation

The defendant is a trade association for the nursing home industry in South Carolina. Approximately 85 nursing homes throughout the state, representing over 80 per cent of all nursing home beds in South Carolina, are "institutional" members of the defendant. In addition, numerous individuals associated with nursing homes are "personal" members.

The complaint alleges that the defendant and co-conspirators engaged in a conspiracy, from sometime in 1973 to the present, to raise the price of nursing home services paid under the Medicaid program in South Carolina. The complaint further alleges that to raise the price of Medicaid nursing home services, the defendant acted as the bargaining agent of its member nursing homes to negotiate and approve or disapprove Medicaid reimbursement contracts with the state on their behalf. The complaint also alleges that the defendant's member nursing homes jointly refused to enter into contracts with the state to care for Medicaid patients except upon terms and conditions that had been agreed upon by the defendant and its members. The market area alleged to have been affected by the conspiracy is the State of South Carolina.

The complaint alleges that the conspiracy has had the following effects, among others: (a) Competition among nursing homes with respect to the terms and conditions on which they will contract to care for Medicaid patients has been eliminated, and (b) prices charged by nursing homes for the care of Medicaid patients have been increased.

Had this case gone to trial, the United States would have adduced evidence to show that, beginning sometime in 1973, the defendant and co-conspirators began to use the defendant as the bargaining agent for nursing homes in negotiating Medicaid contracts with the State of South Carolina. The United States believes the evidence would have shown that, since 1973, the defendant has acted on behalf of its members in accepting or rejecting all or part of various Medicaid provider contracts, and used the joint bargaining strength of its member nursing homes to obtain more favorable contract terms and conditions than otherwise would have been possible; the conspiracy was effectuated in numerous meetings of the defendant's membership, meetings of various committees formed by the defendant for the purpose of negotiating Medicaid contracts with the State, and in meetings between representatives of the defendant and representatives of the State.

III

Explanation of the Proposed Final Judgment

The United States and the defendant have stipulated that the Court may enter the proposed final judgment after compliance with the Antitrust Procedures and Penalties Act. The stipulation provides that neither party has made any admission about any issue of fact or law. Under the provisions of Section 2(e) of the Antitrust Procedures and Penalties Act, the proposed final judgment may not be entered until the Court determines that entry is in the public interest.

A. Prohibited Conduct

The proposed final judgment prohibits the defendant from acting as an agent on behalf of its members in connection with any decision to accept or reject Medicaid provider contracts, or any part thereof. The defendant is also prohibited from participating in or furthering any agreement, understanding, plan or course of conduct having the purpose or foreseeable effect that nursing homes jointly determine to (1) accept or reject any or all of the terms of Medicaid provider contracts; (2) reject or discharge Medicaid patients; or (3) threaten not to participate in the Medicaid program. The defendant is further prohibited from advocating, recommending or inducing nursing homes to engage in any of the above mentioned activities. Finally, the defendant is prohibited from allowing at its meetings any course of conduct, or discussion of any plan, with the purpose or foreseeable effect that nursing homes, or any nursing home, accepts or rejects any terms of the Medicaid contract, rejects or discharges Medicaid patients, or threatens not to participate in the Medicaid program.

Except as otherwise prohibited by the proposed final judgment, the defendant may represent nursing homes, or any nursing home, in any *bona fide* judicial or administrative law proceeding; may represent nursing homes by advocating or discussing changes in the Medicaid program before any federal or state governmental body; and may disseminate factual information about the Medicaid program to nursing homes.

The proposed final judgment requires that the defendant furnish a copy of the judgment to each of its members, as well as to new members as they join, together with a letter explaining its terms. Also, the defendant is required to furnish to the Court and the plaintiff an affidavit as to the fact and manner of its notification of its members and future members.

The proposed final judgment requires that thirteen months after entry of the judgment and every two years thereafter, the defendant audit its operations to determine compliance with the judgment and with the antitrust laws. Its findings must be filed with the Court and the plaintiff.

The proposed final judgment requires that the defendant adopt a written statement setting forth its policy regarding compliance with the antitrust laws and the judgment. The written compliance policy must be published in defendant's newsletter at least once a year for three consecutive years.

B. Scope of the Proposed Judgment

The proposed final judgment will remain in effect for a period of ten years from entry. It applies to the defendant and to each of its officers, directors, members, agents, employees, successors and assigns, and to all other persons in actual concert or participation with any of them who receive actual notice of the judgment.

C. Effect of the Proposed Judgment on Competition

The relief in the proposed final judgment is designed to prevent any recurrence of the activities alleged in the complaint. The prohibitive language of the judgment should insure that each nursing home's decision whether to provide services under the Medicaid program will be made independently by it, without agreements among competitors and between competitors and their trade association.

The proposed final judgment provides two methods for determining the defendant's compliance with its terms. First, the United States is given access, upon reasonable notice, to the records of the defendant to examine them for possible violations of the judgment, and to interview officers, directors, employees and agents of the defendant. Second, the United States may require the defendant to submit written reports about any matters pertaining to the judgment.

The Department of Justice believes that the proposed final judgment contains adequate provisions to prevent further violations by the defendant of the type upon which this complaint is based. The Department believes that disposition of the lawsuit without further litigation is appropriate because the proposed judgment provides all the relief which the United States sought in its complaint, and the additional expense of litigation would not result in additional public benefit.

IV

Remedies Available to Potential Private Litigants

Section 4 of the Clayton Act (15 U.S.C. 15) provides that any person who has been injured as a result of conduct prohibited by the antitrust laws may bring suit in federal court to recover three times the damages suffered, as well as costs and reasonable attorneys fees. Entry of the proposed final judgment will neither impair nor assist the bringing of such actions. Under the provisions of Section 5(a) of the Clayton Act (15 U.S.C. 16(a)), the judgment has no *prima facie* effect in any subsequent lawsuits that may be brought against this defendant.

V

Procedures Available for Modification of the Proposed Judgment

As provided by the Antitrust Procedures and Penalties Act, any person believing that the proposed final judgment should be

modified may submit written comments to John W. Poole, Jr., Antitrust Division, United States Department of Justice, 10th & Penn. Ave., NW., Washington, D.C. 20530 within the 60-day period provided by the Act. These comments, and the Department's responses, will be filed with the Court and published in the **Federal Register**. All comments will be given due consideration by the Department of Justice, which remains free to withdraw its consent to the proposed judgment at any time prior to entry. The judgment provides that the Court retains jurisdiction over this action, and the parties may apply to the Court for any order necessary or appropriate for its modification, interpretation or enforcement.

VI

Alternatives to the Proposed Consent Judgment

This case does not involve any unusual or novel issues of fact or law which might make litigation a more desirable alternative than entry of this final judgment. The Department considers the substantive language of the judgment to be of sufficient scope and effectiveness to make litigation on relief unnecessary, as the judgment provides all relief which reasonably could have been expected after trial.

VII

Other Materials

No materials and documents of the type described in Section 2(b) of the Antitrust Procedures and Penalties Act (15 U.S.C. 16(b)) were considered in formulating the proposed final judgment.

Dated: February 7, 1980.

W. Stephen Cannon.

John J. Miles,

Attorneys, Department of Justice, 10th & Pa. Ave., NW., Washington, D.C. 20530, Telephone: (202) 633-2836.

[FR Doc. 80-5321 Filed 2-20-80; 8:45 am]

BILLING CODE 4410-01-M

LEGAL SERVICES CORPORATION

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L. 95-222 (December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Kalamazoo and Van Buren County Legal Aid Bureau in Kalamazoo, Michigan, to serve St. Joseph County.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, North Virginia Regional Office, 1730 N. Lynn Street, Arlington, Va. 22209.

Dan J. Bradley,

President.

[FR Doc. 80-5307 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L. 95-222 (December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

California Indian Legal Services in Oakland, Calif., to serve Alpine County.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, San Francisco Regional Office, 177 Post Street, Suite 890, San Francisco, Calif. 94104.

Dan J. Bradley,

President.

[FR Doc. 80-5308 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L 93-222 (December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Kansas Legal Services in Topeka, Kansas, to serve Anderson, Chase, Cheyenne, Coffey, Decatur, Dickinson, Ellsworth, Gove, Marion, Marshall, Osborne, Rawlins, Sheridan, Smith, Trego and Washington Counties.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, Chicago Regional Office, 310 South Michigan Avenue, 24th Floor, Chicago, Illinois 60604.

Dan J. Bradley,

President.

[FR Doc. 80-5309 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L. 95-222 (December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Legal Aid of Southwest Missouri in Springfield, Missouri, to service Cedar, Dade, Dallas, Douglas, Howell, Laclede, Oregon, Ozark, Polk, Shannon, Texas and Wright Counties.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, Chicago Regional Office, 310 South Michigan Avenue, 24th Floor, Chicago, Illinois 60604.

Dan J. Bradley,

President.

[FR Doc. 5310 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L. 95-222

(December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Legal Aid Society of Sacramento Co., Inc in Sacramento, California, to serve Amador, Calaveras, El Dorado, Glenn, Lassen, Nevada, Plumas, Sierra and Tehama Counties.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, San Francisco Regional Office, 177 Post Street, Suite 890, San Francisco, Ca. 94104.

Dan J. Bradley,

President.

[FR Doc. 80-5311 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L. 95-222 (December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Tulare County Legal Service Association in Visalia, California, to serve Kings County.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, San Francisco Regional Office, 177 Post Street, Suite 890, San Francisco, Calif. 94104.

Dan J. Bradley,

President.

[FR Doc. 80-5312 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L. 95-222 (December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Legal Aid of Western Michigan in Grand Rapids, Michigan, to serve Lake, Mason and Osceola Counties.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services corporation, Northern Virginia Regional Office, 1730 North Lynn Street, Suite 600, Arlington, Va. 22209.

Dan J. Bradley,

President.

[FR Doc. 80-5313 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L. 95-222 (December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Legal Aid Society of Calhoun County in Battle Creek, Michigan, to serve Hillsdale County.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, Northern Virginia Regional Office, 1730 North Lynn Street, Suite 600, Arlington, Va. 22209.

Dan J. Bradley,

President.

[FR Doc. 80-5315 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L. 95-222 (December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Oakland County Legal Aid Society in Pontiac, Michigan, to serve Kings County.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, Northern Virginia Regional Office, 1730 North Lynn Street, Suite 600, Arlington, Va. 22209.

Dan J. Bradley,

President.

[FR Doc. 80-5316 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L. 95-222 (December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Upper Peninsula Legal Services, Inc. in Sault Ste. Marie, Michigan, to serve Iosco, Ogemaw and Roscommon Counties.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, Northern Virginia Regional Office, 1730 North Lynn Street, Suite 600, Arlington, Va. 22209.

Dan J. Bradley,

President.

[FR Doc. 80-5317 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L 95-222 (December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Lakeshore Legal Services in Mount Clemens, Michigan, to serve Huron, Sanilac and Tuscola Counties.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, Northern Virginia Regional Office, 1730 North Lynn Street, Suite 600, Arlington, Va. 22209.

Dan J. Bradley,

President.

[FR Doc. 80-5318 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

NATIONAL TRANSPORTATION SAFETY BOARD

[N-AR 80-8]

Reports, Safety Recommendations and Responses; Availability

Aircraft Accident Reports in Brief Format

U.S. Civil Aviation Accidents, Issue No. 2 of 1979 Accidents (NTSB-BA-79-6).—The National Transportation Safety Board on February 7 made available the second volume in its series of brief reports on general aviation accidents which occurred during 1979. The 298 accidents reported in Issue No. 2 are arranged by date and the State in which they occurred. This publication is issued irregularly, normally 15 times each year. The brief format presents the facts, conditions, circumstances, and probable cause(s) for each accident. Additional statistical information is tabulated by injury index, injuries, and causal factors.

The Safety Board, in Press Release SB 80-7 announcing Issue No. 2, cites one accident to highlight a long-standing problem in general aviation—unwarranted low altitude flying, or buzzing. In this case, the pilot of a Cessna 150 took off from Abingdon, Va., with a passenger for a flight over the local area. According to witnesses, the pilot, who had 250 hours in the Cessna 150 and over 400 hours total flying time, made a series of low level passes over South Holston Lake near Bristol, Tenn., in an attempt to buzz a flock of ducks. One witness, a professional pilot, said the Cessna's propwash left a wake on the water. On the last pass, the plane was observed to strike the water and sink. Both the pilot and his passenger were killed.

Warnings against the danger of unwarranted low altitude flying have been made repeatedly by safety officials. But the Board's accident statistics indicating a need for repetition remains. Therefore, the following chart of 1974-1978 U.S. general aviation accident involving unwarranted low altitude flying phase of operation is directed to those pilots who may feel that the excitement of buzzing is worth the risk:

	Accidents	
	Total	Fatal
1974	25	12
1975	29	17
1976	37	26
1977	54	35
1978	31	18

Copies of Issue No. 1 may be purchased from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va., 22151.

Note.—The brief reports in this volume contain essential information; more detailed data may be obtained from the original factual reports on file in the Washington office of the Safety Board. Upon request, factual reports will be reproduced commercially at an average cost of 7 cents per page for printed matter, $1 per page for black-and-white photographs, and $1.50 per page for color photographs, plus postage. Requests concerning aircraft accident report briefs should include (1) date and place of occurrence, (2) type of aircraft and registration number, and (3) name of pilot. Address requests to: Public Inquiries Section, National Transportation Safety Board, Washington, D.C. 20594.

Marine Accident Report

Fire on Board the Canadian Bulk Carrier M/V CARTIERCLIFFE HALL, Lake Superior, June 5, 1979 (NTSB-MAR-80-1).—The Safety Board on February 8 released the final report on this accident, investigated jointly by the Safety Board and the U.S. Coast Guard. The formal investigation convened on June 8, 1979, in Duluth, Minn. This report is based on the evidence and testimony developed during the investigation.

The fire erupted on the CARTIERCLIFFE HALL while it was underway in Lake Superior between Duluth and Port Cartier, Quebec, Canada, in U.S. waters. The fire destroyed the vessel's accommodation spaces and pilothouse. Six persons were killed and five persons were injured; one person died later as a result of burns received from the fire.

The Safety Board has determined that the probable cause of this accident was the ignition by an unknown source of combustible materials within the spar deck crew accommodations. The rapid rate at which the fire spread was due to the lack of structural fire protection in the design and the extensive use of combustible materials in the construction of the accommodation spaces. Contributing to the loss of life were the rapid rate at which the fire spread and the lack of an adequate fire detecting system.

As a result of this accident investigation, the Safety Board on January 25 recommended that the U.S. Department of State, in consultation with the U.S. Coast Guard, initiate negotiations for a bilateral agreement between the United States Government and the Canadian Government to establish common structural fire protection and fire detection standards for Great lakes vessels (recommendation M-80-4). Also on January 25, the Safety Board recommended that the U.S. Coast Guard amend 46 CFR Subpart 95.05-1, to require that a fire detection system be installed in the accommodation spaces of U.S. vessels that do not meet current structural fire protection standards (M-80-5). (See also 45 FR 8390, February 7, 1980.)

Special Investigation Report

Survival in Hazardous Materials Transportation Accidents (NTSB-HZM-79-4).—The Safety Board has investigated many accidents in which persons were killed following the release of hazardous materials from vehicles involved in the accidents. For example, 16 persons died following the rupture of a liquefied petroleum gas

tank-semitrailer in a 1975 highway accident near Eagle Pass, Texas. Also, in Youngstown, Fla., eight persons died following the puncture of a rail tank car carrying chlorine during an accident in 1978, and in Houston, Texas, five persons were killed and 178 persons were injured by the release of anhydrous ammonia following the crash of a tank-semitrailer in a 1976 highway accident. The Safety Board has previously reported the causes of these accidents but notes that the extent of the casualties in these and other accidents following the release of hazardous materials far exceeded the initial crash losses. The Board believes that improving survivability in such accidents would contribute significantly to reduced hazardous materials transportation risks.

Using the 1976 Houston accident as an example, the Safety Board investigated survival actions by the victims to determine what actions they took, why they were taken, and what effects these actions had on the victims' survival. These actions were then analyzed to determine the effectiveness of the U.S. Department of Transportation-mandated safeguards in reducing casualties in hazardous materials accidents. The Board's resulting special report was released on February 8.

The report shows that the Safety Board reached the following conclusions as a result of this special investigation:

1. None of the regulatory safeguards—vehicle, roadway, placarding, or emergency action guides—were effective in reducing the injurious effects of the hazardous materials release in the Houston accident on May 11, 1976.

2. The threat to personal safety was not generally recognized by the exposed motorists until injury occurred; then the only survival action recognized was to flee the ammonia cloud.

3. The markings, placards, and labeling under 49 CFR Part 172, Hazardous Materials Communications Regulations, did not assist those involved to identify the nature of the threat, to communicate what actions to take, or to help control the emergency.

4. The current reporting system of the U.S. Department of Transportation's Materials Transportation Bureau requires the occurrence of numerous accidents in order to identify data trends that demonstrate a need for improved safeguards.

5. MTB cannot evaluate its safeguards affecting hazardous materials transportation releases adequately or promptly because it does not have a procedure by which survival action data are collected and used.

6. DOT's hazardous materials incident reporting system requires carriers to help prepare data to support trend analysis that is directed toward packaging rather than improved survivability; both factors need to be considered.

7. MTB needs to change its policy of relying solely on carriers to support its accident/incident reporting system; it should marshal all the available resources for collecting accident information to support its regulatory program.

Further as a result of this investigation, the Safety Board last December 11 recommended that DOT's Research and Special Programs Adminstration: (1) Incorporate hazardous materials incident survival action data in the new centralized hazardous materials information system which DOT is establishing under recommendation No. 3 of the September 1978 Report of the Hazardous Materials Task Force (I–79–14); (2) establish procedures to promptly utilize survival action data and to analyze the harm from an accident in evaluating the influence of regulatory safeguards upon the outcome of serious hazardous materials incidents (I–79–15); and (3) use survival action data collected to revise emergency guidelines, incorporating recommended actions, their purpose, and the effect they should have in reducing losses following the release of hazardous materials (I–79–16). (See also 44 FR 75538, December 20, 1979.)

Safety Recommendation Letters

Aviation

A–80–13 and 14.—On March 1, 1979, a Beech 70 Excalibur Conversion (Queen Air), N777AE, crashed just after takeoff from the Gulfport-Biloxi Regional Airport, Gulfport, Miss. The aircraft was being operated by Universal Airways, Inc., under 14 CFR Part 135.

The aircraft took off from runway 17, and, reaching an altitude of 100 feet at the departure end of the runway, the pilot told Gulfport Tower, "Universal 76 is taking it around, going to land, going to land on 13." Witnesses stated that as the aricraft began a right turn the nose "pitched up" following which the aircraft immediately entered a steep dive, which it maintained until ground impact. All eight occupants were killed; there was no fire after impact.

Investigation of this accident revealed that the nose baggage door came open on takeoff and struck the left propeller. The door apparently had not been secured properly by the station agent who had removed baggage from the compartment. The Board notes that the forward baggage compartment door is hinged at the top and is opened by turning a D-shaped handle. The latching mechanism incorporates three sliding bayonet latches which are held in the latched position by an overcenter cam. A microswitch is mounted ahead of the forward bayonet and door frame and is connected in series to the left engine starter switch. The door must be fully latched and the microswitch actuated by the pressure of the bayonet point before the engine can be started. This feature was designed by Beech to ensure safety of operation of the aircraft. On N777AE, however, the safety interrupt feature had been bypassed by a wire installed between the battery terminals of the two-engine magneto/start switches. This allowed both engines to be started even though the door was not fully latched.

In a similar accident involving a Ross Aviation Beech 65–80 (Queen Air) at Albuquerque, N.M., on May 19, 1972, nine persons were killed. As a result of that accident and a similar accident involving a Beech 99, the Safety Board issued to the Federal Aviation Administration recommendations A–72–78 through 81. These recommendation dealt with the need for: secondary locking devices, cargo restraint systems, an alert to all air taxi operators, rulemaking to revise 14 CFR Part 135, and evaluation of the applicability of 14 CFR 23.787(b) to this type of nose cargo compartment.

The Safety Board notes that FAA issued an alert to all operators and owners regarding the need for positive door closure and for rigging the door actuating mechanism in accordance with the manufacturer's instructions. In addition, FAA responded that if the door latching mechanism was properly maintained and fully secured by the operator, the requirements for cargo compartments and cargo security and protection contained in 14 CFR 23.787(b) would be satisfied. Based on this response, the recommendations were classified "Closed—Unacceptable Action" by the Board.

In 1976, Beech Aircraft Corporation surveyed 66 Beech Queen Airs that were equipped with nose baggage doors. The findings of the survey indicated that only 10 of the 66 aircraft had properly operating starter interrupt systems.

In view of these findings, the unacceptable response to the Board's previous recommendations, and the Gulfport accident, the Safety Board concludes that action is still required to prevent inadvertent opening of nose baggage doors in flight. Accordingly, on February 13, the Board recommended that FAA:

Take action to provide double failure protection by means of a secondary locking device on nose baggage doors of light twin engine aircraft engaged in Part 135 operations. (A–80–13)

Require that the nose baggage door interrupter system on all Beech Aircraft models so equipped be operational before flight. (A–80–14)

Both of the above recommendations are designated "Class II, Priority Action."

Highway

H-80-9 through 11, H-80-12 and 13.—On September 17, 1979, the Federal Highway Administration issued emergency final rulemaking, "Traffic Safety in Highway and Street Work Zones; Separation of Opposing Traffic" (23 CFR 630.1010), to "require more stringent control measures to reduce * * * accidents on highway construction projects funded by FHWA." The Safety Board notes that this rulemaking permits two-way traffic on normally divided highways only when other methods of traffic control are not feasible. Where two-way traffic is unavoidable, approved concrete barriers, drums, cones, or verticial panels throughout the length of the two-way operation must be used. The Safety Board strongly supports these more stringent control measures, but the Board believes that these constraints should apply to all work on divided Federal-aid roads and not just to construction projects funded by FHWA as is provided by the recent rules. The Board's position is reinforced by its investigation of a recent multiple-vehicle collision.

About 6:25 a.m. on August 22, 1979, a westbound tractor-semitrailer sideswiped an eastbound tractor-semitrailer and then struck an eastbound motor home on Interstate 80 about 30 miles northwest of Laramie, Wyo. Interstate 80 was under construction and both eastbound and westbound traffic was traveling on the two undivided westbound lanes. The two persons in the westbound truck and six of the seven persons in the motor home were killed.

The Safety Board notes that between June 17 and September 3 last year 9 accidents occurred on the 9-mile section of I-80 containing the construction zone; these accidents resulted in 13 fatalities, 4 injuries, and 14 damaged vehicles. On June 26, 1979, FHWA's Division Office discussed the June 17 accident and recommendations for positive traffic separation measures with Wyoming's State Highway Department. None of the recommended positive separation measures were in use in the construction zone on August 22, 1979. Furthermore, a positive separation measure would not have been required even under FHWA's recent emergency rulemaking requirements because the construction project was financed exclusively with non-FHWA funds. The Safety Board believes that FHWA should expand the scope of the recent rulemaking to include all construction of Federal-aid highways to insure the use of approved traffic control devices regardless of the funding source of the specific project.

Additionally, although FHWA's emergency rulemaking requires separation and appropriate traffic control devices, it does not provide practical guidelines for implementation in the field. The impact of the lack of guidelines was highlighted by an informal telephone survey conducted by the Safety Board to determine the current traffic separation practices at locations similar to the accident site. The survey included all FHWA regions and many State highway offices. It revealed a wide variation in practices and the following practical concerns:

1. The operational problems with portable concrete median barriers. (The operational problems include management, placement, end treatment, the increase in accidents due to a continuous barrier, and other factors).
2. The high loss of cones, barrels, and flexible posts—as high as 20 to 30 percent daily.
3. The need for limitations on the maximum safe length of construction zones which should be used for two-way operation.
4. The need for speed limit restrictions and enforcement.
5. The need for limitations on the number of days a two-way operation should be permitted.
6. The lack of guidance on end treatments for barriers.
7. The problems associated with accommodating wide vehicles, especially near narrow bridges where concrete median barriers are used.
8. The problems associated with maintaining traffic where usable shoulders are not available.

The Safety Board is aware that the FHWA is sponsoring research which will address some of the previously listed concerns, and that there is operational experience in the States which FHWA could use to develop effective solutions for some of the other concerns. These research findings and operational experiences should be compiled into a concise manual of effective practical guidelines which could be disseminated to those responsible for developing traffic control plans.

Finally, the Safety Board is not aware of any research in the major area of operational problems associated with the use of portable median barriers, barrels, cones, and panels. Apparently, there is a significant gap in available traffic control devices between the massive concrete median barriers, with their inherent operational problems, and the flimsy cones and tubes, which are often damaged or removed from a site and have to be replaced. Contractors nationwide have reported a heavy loss of cones and barrels. Additionally, cones and barrels have the potential for becoming lodged in mechanical parts of a vehicle, which could pose further safety hazards. Although FHWA is crash-testing different barrier systems and industry has introduced plastic type-III barricades, there still appears to be a need for a device that could function as a visual channelizing device where two-way operation is unavoidable and use of the concrete barrier is impractical.

Accordingly, the Safety Board on February 11 recommended that FHWA:

Expand the Emergency Final Rule, 23 CFR 630.1010 to apply to all construction and maintenance zones on divided Federal-aid roads. (Class I, Urgent Action) (H-80-9)

Develop and disseminate a manual which will compile operational experience and current research findings related to channelizing traffic which is rerouted in work areas. (Class II, Priority Action) (H-80-10)

Promote the development of a traffic control device to fill the gap between shaped concrete barrier and traffic cones to serve as a continuous visual barrier to separate traffic in work zones. (Class III, Longer Term Action) (H-80-11)

A separate recommendation letter concerning the Laramie accident was forwarded, also on February 11, by the Safety Board to the Governor of Wyoming. The letter states that the temporary eastbound lane was 12 feet 8 inches wide. The shoulder for eastbound traffic was 8 feet 1 inch wide and the westbound shoulder was about 12 feet 11 inches wide. Only 3 feet of the eastbound shoulder was usable because the slope changed abruptly from about 30:1 (0.035 ft/ft) to slightly less than 4:1 (0.236 ft/ft). The driver of the eastbound truck said she did not move any farther to the right than she thought necessary to avoid frontal contact because she did not want to risk overturning her vehicle. Since 1975, more than 75 percent of the fatalities and nearly 38 percent of the accidents on I-80 between mileposts 263 and 312, which includes the accident site, involved overturning vehicles.

Although the shoulder at the site of the August 22, 1979, accident has since been regraded, the Safety Board concludes that based on the accident history of this section of highway, there may be other shoulder segments which do not meet the standards of the American Association of State Highway and Transportation Officials' Blue Book, "A Policy on Geometric Design of Rural Highways—1965."

The Safety Board is also concerned about the high speed of the westbound truck. A recent FHWA report—"Accident and Speed Studies in Construction Zones," June 1977 (FHWA-

RD-77-80)—indicated that a reduced speed limit in a construction zone did not reduce the accident rate, but did increase conflicts in the transition area. Further, vehicle speed was not reduced unless enforcement units were visible within a few miles of the site. Field studies have demonstrated that enforcement not only controls speed but also reduces erratic maneuvers and traffic conflicts.

In view of these findings, the Safety Board forwarded these two "Class II, Priority Action" recommendations to the Governor of Wyoming:

Conduct an engineering study to determine where regrading of the shoulders is necessary and correct those locations to reduce the number of overturning accidents on Interstate 80 between mileposts 263 and 312. (H-80-12)

Take necessary steps to increase the effectiveness of its enforcement of speed limits, especially within and adjacent to construction zones. (H-80-13)

Copies of the Safety Board's formal investigation report concerning the Laramie accident are being prepared for distribution and will be made available in the near future.

Responses to Safety Recommendations

Marine

M-78-74 through 77.—U.S. Coast Guard on January 21 responded to the Safety Board's comments forwarded last May 7 to Coast Guard's March 14 response (44 FR 23394, April 19, 1979) to recommendations issued following investigation of the collision of Liberian Tankship M/V STOLT VIKING and U.S. Crewboat CANDY BAR which occurred in the Gulf of Mexico, January 7, 1978.

The recommendations called on Coast Guard to:

Require vessels carrying more than six passengers for hire and engaged in the offshore oil industry to have electronic navigational equipment including radar, LORAN, and a fathometer. (M-78-74)

Require that a person applying for an operator's license for vessels carrying more than six passengers for hire and engaged in the offshore oil industry be examined in the use of electronics navigational equipment such as radar, LORAN, and fathometers. (M-78-75)

Require that the operator of every radar-equipped vessel carrying more than six passengers for hire and engaged in the offshore oil industry be qualified as a radar observer. (M-78-76)

Require that the operators of vessels carrying more than six passengers for hire and engaged in the offshore oil industry, when operating for more than 12 hours: (1) Establish standardized watch schedules to minimize fatigue from prolonged duty hours, and (2) appoint one operator to be in charge to establish responsibility of command and to avoid confusion in an emergency. (M-78-77)

With reference to recommendations M-78-74, 75, and 76, the Safety Board last May 7 stated that these three recommendations were intended to be complementary and were published in that order for emphasis. It is obvious that there can be no requirement for an operator to be qualified to operate certain equipment if that equipment is not required to be on the vessel. The steps necessary are: (1) Require the equipment, (2) require examination of the operators, and (3) require certification of the operator's ability to use the equipment. The facts of the subject accident showed positively the pitfalls of sophisticated equipment in the hands of unskilled users. The LORAN and the radar were misused in the case of the CANDY BAR. The Board does not believe that the answer is to get rid of the equipment, as implied in the Coast Guard response, but to train the operators, as recommended by the Board.

Electronic navigational equipment has become less expensive in recent years and, as with the CANDY BAR, owners are providing this equipment. However, the qualifications required of licensed operators have not kept pace with the progress of the navigational equipment. Even though all surface radar is limited due to antenna height, the Safety Board believes that normal antenna height would be adequate for safe navigation of this type of vessel.

If the Coast Guard believes that a single trade related restriction on the operator examination is inappropriate, the Board suggests that the qualification and examination in the use of electronic navigation equipment be extended to all operators of vessels that carry more than six passengers for hire regardless of employment. The Board suggests in lieu of the trade restriction, an operating restriction, such as for vessels operating for more than 12 hours and more than 20 miles offshore.

The Safety Board determined that the probable cause of this accident was the failure of both the STOLT VIKING and the CANDY BAR to keep an adequate lookout, visually as well as on radar. Additionally, the crew of the CANDY BAR incorrectly determined their own position about 5 minutes before the collision. The incorrect use of the available electronic navigational equipment was most definitely a factor in this accident.

The Board notes that the procedure for qualification as "radar observer" for operators of vessels over 300 gross tons and for operators of vessels under 300 gross tons need not be the same; the important point is that accurate navigation and correct collision avoidance procedures are fundamental to the safe operation of any vessel. The principle of operation in 49 CFR 10.05-46 should be considered essential for the operator of a vessel carrying more than six persons for hire. The fact that CANDY BAR type vessels are small and lively and cannot keep as precise a course as larger vessels makes it even more important that the navigators of such vessels be capable of effective and accurate use of the electronic equipment available.

With reference to recommendation M-78—77, the Safety Board said on May 7, 1979, that in the CANDY BAR case the watch-standing division tradition must not have taken hold. A single operator was on duty for most of a 12-hour period. As there is no requirement for a standard watch, or even for maximum duty hours for vessels under 100 gross tons (46 CFR 157.20-5 and 157.20-10 apply to vessels of more than 100 gross tons), the ill-advised action of the operator was not necessarily illegal. The Safety Board believes that in an area with high density tankship and other vessel traffic, and numerous petroleum exploration structures, the watch division and duty hour requirements of 46 CFR 157.20-5 and 157.20-10 should apply to vessels under 100 gross tons carrying six or more passengers for hire. The Board asked for reconsideration of the watch schedule portion of this recommendation.

The second part of M-78-77 was intended to cause the establishment of responsibility for the safety of the vessel and its passengers, not seniority. The Safety Board is not concerned as to the age or length of service of an individual, but that one individual be given the responsibility for command for the entire voyage rather than the tradeoff situation that existed on the CANDY BAR. The Board hopes that, if the Coast Guard does not feel a regulation is necessary, at least some publication concerning the common sense involved in providing for a "master" designation for these vessels might go to the companies and owners involved.

Coast Guard's letter of January 21 in response indicates nonconcurrence with recommendations M-78-74 and M-78-75. Coast Guard says the casualty statistics and equipment limitations do not justify the proposed regulations called for in recommendation M-78-74. Coast Guard says it did not intend to imply that vessel operators get rid of electronic navigational equipment and views with favor the trend of the vessel "T" boat industry to self-equip. Coast Guard does not believe there is justification to implement M-78-74,

especially since many owners are providing this equipment at their own initiative. Coast Guard identified the limitations of radars in vessels described in the recommendation as (1) small display and scope size, (2) depict contacts on a relative bearing as gyrocompass imputs are seldom available, (3) heavy sea return, and (4) limited range.

With reference to M-78-75, Coast Guard notes that the Safety Board suggested that operator examinations in electronic navigational equipment either be extended to all operators of vessels carrying more than six passengers or to those vessels operating more than 12 hours or more than 20 miles offshore. Coast Guard does not agree that hours of operation or distance offshore has any bearing on the use of electronic equipment. Coast Guard's initial response of April 19, 1979, to M-78-75 considers the operation of all small passenger vessels.

Coast Guard, with respect to recommendation M-78-76, notes that the Safety Board concludes that inaccurate use of position-fixing equipment on the CANDY BAR was definitely a factor in this accident. Coast Guard does not agree with this conclusion in that the need for an alert lookout exists throughout this operating area and the fact that the vessel was located approximately one mile farther north than determined earlier by the crew was not significant to this collision. Coast Guard states, "Actually, a one-mile navigational error could reasonably be expected considering the location and the equipment in use. It is not viewed as ineffective operator use of installed equipment."

Concerning recommendation M-78-77, Coast Guard says any move to apply 46 157.20-5 and 157.20-10 to Subchapter T vessels would require a statutory change. This attempt would most likely not be successful due to opposition form boat operators as labor costs would increase significantly. Part 52-2-10 of the Coast Guard Marine Safety Manual provide a standard scale for a two watch system which has proved satisfactory. The requirement to carry an additional operator when operating more than 12 hours is provided for on the vessel's Certificate of Inspection. Coast Guard reports that Operations Research, Inc., has made two studies for Coast Guard since 1977 concerning human causal factors in marine accidents. Fatigue was not analyzed as a potential causal factor because, it was determined, fatigue was not readily quantifiable or easily perceived as a direct or indirect factor. Coast Guard said it would be relatively easy to require that one of the operators be designated as "master." The problem comes in the definitions and related duties of the terms "master" and "operator." The Coast Guard is studying changes to 46 CFR Parts 390 and 404 to remove "operator" from the statutory and regulatory language. A submission to the Congress is contemplated during its current session, and an update of this legislative effort will be supplied in 6 months.

NOTE: Single copies of the Safety Board's reports are available without charge, as long as limited supplies last. Copies of recommendation letters and responses thereto are also provided free of charge. All requests for copies must be in writing, identified by report or recommendation number. Address requests to: Public Inquires Section, National Transportation Safety Board, Washington, D.C. 20594.

Multiple copies of reports may be purchased from the National Technical Information Service, U. S. Department of Commerce, Springfield, Va. 22151.

(49 U.S.C. 1903(a)(2), 1906)

Margaret L. Fisher,

Federal Register Liaison Officer.

February 15, 1980.

[FR Doc. 80-5341 Filed 2-20-80; 8:45 am]

BILLING CODE 4910-58-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-409]

Dairyland Power Coop.; Issuance of Amendment to Provisional Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 19 to Provisional Operating License No. DPR-45, issued to Dairyland Power Cooperative (the licensee), which revised the Technical Specifications for operation of the La Crosse Boiling Water Reactor (LACBWR) located in Vernon County, Wisconsin. The amendment is effective as of its date of issuance.

The amendment modifies the Technical Specifications for the LACBWR by adding new, more restrictive limits for the reactor coolant and off-gas radioactivity to compensate for increasing the maximum average fuel assembly exposure by 600 MWD/MTU. These limits apply only to fuel cycle 6 operation and would permit continued reactor operation while the new spent fuel racks are being installed in the fuel storage well.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated January 17, 1980, and supplement thereto dated January 28, 1980, (2) Amendment No. 19 to License No. DPR-45, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the La Crosse Public Library, 800 Main Street, La Crosse, Wisconsin 54601. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operation Reactors.

Dated at Bethesda, Maryland, this 4th day of February, 1980.

For the Nuclear Regulatory Commission.

Dennis L. Ziemann,

Chief, Operating Reactors Branch No. 2, Division of Operating Reactors.

[FR Doc. 80-5375 Filed 2-20-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-334]

Duquesne Light Co., et al.; Termination of Order for Modification of Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has completed the review of the Revised ECCS Analysis relating to the Zirconium-Water error and has terminated the April 21, 1978 Order for Modification of Facility Operating License No. DPR-66 issued to Duquesne Light Company, Ohio Edison Company and Pennsylvania Power Company (the licensee) of the Beaver Valley Power Station, Unit No. 1 (the facility) located in Beaver County, Pennsylvania. This action is effective as of the date of issuance.

This action complies with the standards and requirements of the

Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the related Safety Evaluation. Prior public notice of this action was not required since this action does not involve a significant hazards consideration.

The Commission has determined that the termination of the Order for Modification will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) and environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this action.

For further details with respect to this action, see (1) the application for termination of the Order for Modification dated May 7, 1979 and (2) the Commission's letter to the licensee dated January 9, 1980. These items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the B. F. Jones Memorial Library, 663 Franklin Avenue, Aliquippa, Pennsylvania 15001. A copy of item (2) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 9th day of January, 1980.

For the Nuclear Regulatory Commission.

A. Schwencer,

Chief, Operating Reactors Branch No. 1, Division of Operating Reactors.

[FR Doc. 80-5377 Filed 2-20-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-250]

Florida Power & Light Co.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 52 to Facility Operating License No. DPR-31 issued to Florida Power and Light Company (the licensee), which revised Technical Specifications for operation of the Turkey Point Nuclear Generating, Unit No. 3 (the facility) located in the Dade County, Florida. The amendment is effective as of the date of issuance.

The amendment permits continued operation of Turkey Point Plant Unit No. 3 for six equivalent full power months from January 24, 1980 at which time the steam generators shall be inspected.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since this amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated January 10, 1980, as supplemented by letter dated January 18, 1980, (2) Amendment No. 52 to License No. DPR-31, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room 1717 H Street, N.W., Washington, D.C. and at the Environmental and Urban Affairs Library, Florida International University, Miami, Florida 33199. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 25th day of January, 1980.

For the Nuclear Regulatory Commission.

A. Schwencer,

Chief, Operating Reactors Branch No.1, Division of Operating Reactors.

[FR Doc. 80-5380 Filed 2-20-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-316]

Indiana & Michigan Electric Co.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 17 to Facility Operating License No. DPR-74 issued to Indiana and Michigan Electric Company (the licensee), which revised Technical Specifications for operation of Donald C. Cook Nuclear Plant, Unit No. 2 (the facility) located in Berrien County, Michigan. The amendment is effective as of the date of issuance.

The amendment revises the Technical Specification limits for total nuclear peaking factor (F_q) for the Donald C. Cook, Unit No. 2.

The amendment also supersedes the Order for Modification of License for D. C. Cook Unit No. 2, dated June 6, 1978, accordingly, that Order has been terminated.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated January 9, 1980 as supplemented January 11, 1980, (2) Amendment No. 17 to License No. DPR-74, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Maude Reston Palenske Memorial Library, 500 Market Street, St. Joseph, Michigan 49085. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 11th day of January 1980.

For the Nuclear Regulatory Commission.

A. Schwencer,

Chief, Operating Reactors Branch No. 1, Division of Operating Reactors.

[FR Doc. 80-5379 Filed 2-20-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-309]

Maine Yankee Atomic Power Co.; Issuance of Amendment To Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has

issued Amendment No. 47 to Facility Operating License No. DPR-36, issued to Maine Yankee Atomic Power Company (the licensee), which revised Technical Specifications for operation of the Maine Yankee Atomic Power Station (the facility) located in Lincoln County, Maine. The amendment is effective as of its date of issuance.

The amendment deletes the limiting conditions for operation relating to equatic ecology set forth in the Appendix B Environmental Technical Specifications.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment is a ministerial action required as a matter of law and that an environmental impact assessment need not be prepared.

For further details with respect to this action, see (1) the application for amendment dated June 27, 1978, (2) Amendment No. 47 to License No. DPR-36, and (3) the Commission's letter to the licensee dated February 8, 1980. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Wiscasset Public Library Association, High Street, Wiscasset, Maine.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland this 8th day of February 1980.

For the Nuclear Regulatory Commission.

Robert W. Reid,

Chief, Operating Reactors Branch No 4, Division of Operating Reactors.

[FR Doc. 80-5376 Filed 2-20-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-286]

Power Authority of the State of New York; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 28 to Facility Operating License No. DPR-64, issued to the Power Authority of the State of New York (the licensee), which revised Technical Specifications for operation of the Indian Point Nuclear Generating Unit No. 3 (the facility) located in Buchanan, Westchester County, New York. The amendment is effective as of the date of issuance.

The amendment revises the reactor coolant system pressure and temperature heatup and cooldown curves and adds a requirement to conduct surveillance for core reactivity anomalies.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated August 24, 1979, (2) Amendment No. 28 to License No. DPR-64, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the White Plains Public Library, 100 Martine Avenue, White Plains, New York. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 19th day of January 1980.

For the Nuclear Regulatory Commission.

A. Schwencer,

Chief, Operating Reactors Branch No. 1, Division of Operating Reactors.

[FR Doc. 80-5374 Filed 2-20-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-281]

Virginia Electric & Power Co.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 54 to Facility Operating License No. DPR-37 issued to Virginia Electric and Power Company, which revised Technical Specifications for operation of the Surry Power Station, Unit No. 2 (the facility) located in Surry County, Virginia. The amendment is effective as of the date of issuance.

The amendment incorporates steam generator inservice inspection requirements and reactor coolant and secondary coolant iodine radioactive concentration limits into the Technical Specifications and deletes a license condition that previously governed steam generator inspections.

These changes have been made to provide inservice inspection requirements suitable for essentially new steam generators in accordance with Regulatory Guide 1.83. Previous requirements were tailored to deteriorating steam generator tubes which were removed as a part of the steam generator repair program approved on January 19, 1979.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement, or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of these amendments.

For further details with respect to this action, see (1) the application for amendment dated December 30, 1976 as supplemented May 24, 1979, (2) Amendment No. 54 to License No. DPR-37, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Swem Library, College of William and Mary, Williamsburg, Virginia. A copy of items (2) and (3) may

be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 20th day of December, 1979.

For the Nuclear Regulatory Commission.

A. Schwencer,

Chief, Operating Reactors Branch No. 1, Division of Operating Reactors.

[FR Doc. 80-5378 Filed 2-20-80; 8:45 am]

BILLING CODE 7590-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-16566; File No. SR-NYSE-77-13]

New York Stock Exchange, Inc.; Self-Regulatory Organizations; Proposed Rule Change

Pursuant to Section 19(b) of the Securities Exchange Act of 1934, as amended, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29 (June 4, 1975), notice is hereby given that on January 25, 1980 the above mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

Terms of Proposed Rule Changes

The proposed changes contain amendments to the New York Stock Exchange ("NYSE") filing (SR-NYSE-77-13) dealing with the regulation of associated persons of members of that exchange. The text of the proposed amendments is set forth below:

The New York Stock Exchange hereby amends Exhibit I of File No. SR-NYSE-77-13 and Exhibit 1-A of Amendment No. 1 thereto as follows. The new language italicized and deleted language [bracketed] reflect changes from the language contained in the Exhibits of the original filing and Amendment No. 1 thereto.

Rule 2—"Member," "Membership," "Member Firm," etc.

* * * * *

The term engaged in a "securities or kindred business" shall mean [acting as an investment advisor or] transacting business generally as a broker or dealer in securities, including but not limited to, servicing customer accounts or introducing them to another person.

* * * * *

Proposed New Rule 304—Allied Members and Approved Persons

(a) No person shall become or remain an allied member or an approved person unless [approved by the Board of Directors] *such person meets and continues to meet the standards prescribed in the Constitution and Rules of the Exchange.*

* * * * *

(h) Any person who controls a member or member organization or who engages in a securities or kindred business and is controlled by or under common control with a member or member organization but is not a member or allied member or an employee of a member organization shall apply for approval by the Exchange as an approved person by furnishing the Exchange with such information with respect to such applicant, its history and business, its equity-holders, officers, partners and directors, any person controlling such applicant, and such other information as the *rules of the* Exchange may [from time to time] require. Each such applicant shall agree to:

(1) Supply the Exchange with information with respect to such applicant's relationship and dealings with the member or member organization with which it is associated as the Exchange may reasonably require *to ascertain whether the applicant is in compliance with applicable provisions of Federal Securities Laws, the rules and regulations thereunder, and the rules of the Exchange;* and * * *.

.12 Notwithstanding the provisions of Rule 304(h)(4), no applicant to become an approved person (the "applicant") or approved person which is domiciled outside the United States shall be required to permit examination by the Exchange, or any person designated by it, of the applicant's or approved person's books and records, at its place of domicile, to verify the accuracy of information required to be supplied by the rules of the Exchange whenever such examination would, in the opinion of the independent person or government official (as hereinafter specified) be contrary to the law to which the applicant or approved person is subject in its place of domicile or contrary to generally accepted custom or business practice of such place. Whenever an applicant or an approved person chooses to invoke the provisions of the preceding sentence of this paragraph, the applicant or approved person shall, at its expense, submit to the Exchange a written certification acceptable to the Exchange by a person deemed independent of the applicant or approved person and of its affiliated member organization, which person is recognized as an enrolled attorney or counselor at law in such place of domicile (the "independent person") or an appropriate governmental official of the place of domicile stating that the examination of the books and records of the applicant or approved person by the Exchange or any person designated by it at its place of domicile would be contrary to the law to which the applicant or approved person is subject in its place of domicile or contrary to generally accepted custom or business practice of such place. Whenever and so long as an approved person chooses to invoke the provisions of the first sentence of this paragraph, the approved person shall, at its expense, submit to the Exchange, not less frequently than annually and upon specific request by the Exchange, a written certification acceptable to the Exchange by an independent person or a person deemed independent of the applicant or approved person and its affiliated member organization which person is recognized in the place of domicile of the applicant or approved person as an auditor stating that upon reasonable examination conducted by the said person in accordance with generally accepted practices and principles prevalent in the approved person's place of domicile, (i) in respect of any appropriately designated omnibus account carried by the affiliated member organization for the account of the approved person but not for its benefit, said independent person has no reason to believe that any of the persons on whose behalf and for whose benefit any transaction was effected therein was a person associated with the approved person or its affiliated member organization within the meaning of the Securities Exchange Act of 1934 as amended (the "Act"), or the rules thereunder, and (ii) in respect of any account carried by the affiliated member organization in the name and for the account and benefit of the approved person, which account reflects transactions effected in reliance on Section 11(a)(1)(G) of the Act, the rules thereunder, and, in particular, Rule 11a1-2 thereunder, the approved person, during its preceding fiscal year, derived more than fifty percent of its gross revenues from one or more of the sources specified in Section 11(a)(G)(i) of the Act.

Rule 311—Formation and Approval of Member Organizations.

* * * * *

(b) The Board of Directors shall not approve a partnership or corporation as a member organization unless:

(1) [at least a majority of the directors of such corporation are members or allied members; and] each director of such corporation [who] is [not] a member, [or] allied member *or* [is] an approved person; and

* * * * *

Rule 312—Notice of Changes Within Member Organizations

* * * * *

(e) Unless permitted by the [Board of Directors] *Exchange in order to protect investors and the public interest or to facilitate the administration of the Exchange,* no person shall be a member or allied member in a member organization unless all persons required to be approved by the [Board of Directors] *Exchange* are so approved.

* * * * *

NYSE Statement of the Purpose of the Proposed Constitutional and Rule Changes

This section of original File No. SR-NYSE-77-13 and Amendment No. 1 thereto is amended by adding the following paragraphs as item F to explain the purpose of the changes contained in this amendment to the filing:

Rule 2 has been amended to remove investment advisors from the proposed

definition of "securities or kindred business" thereby relieving investment advisors (who are not registered broker/dealers) controlled by or under common control with a member of the Exchange from the originally proposed requirement that they become approved persons.

Rule 304(a) has been amended to include a reference to the standards required for a person to become or remain an allied member or approved person.

Rule 304(h) has been amended by inserting the words "rules of the" in order to clarify the intent of this provision. Rule 304(h)(1) has been amended, as well, to clarify the intent of the provision.

New Rule 304.12 is proposed to provide an alternate means for compliance with the Exchange's examination of books and records requirement for approved persons (proposed in Rule 304(h)) by permitting on-site inspection of books and records for foreign situated approved persons to be conducted by independent professionals where on-site inspection by the Exchange would be contrary to local law or custom. A person deemed independent of the approved person who is an enrolled attorney or counsellor at law of the country of domicile of the approved person ("independent person") or an appropriate government official of the place of domicile would have to provide an attestation that such inspection would be contrary to law or generally accepted business practice before the alternate examination procedure would be permitted to be utilized. The examination and certification to the Exchange of the examination results must be accomplished by an "independent person" or a person deemed independent of the approved person who is recognized in the place of domicile as an auditor.

Rule 311(b) has been amended to rescind the requirement that a majority of the directors of a member corporation be members or allied members to allow member corporations greater discretion is selecting directors. Inside directors would still be required to be members or allied members and outside directors would have to become approved persons.

Rule 312(e) has been amended to incorporate standards by which an exception to the requirement that "no person shall be a member or allied member in a member organization unless all persons required to be approved by the Exchange are so approved" could be permitted.

NYSE Statement of the Basis Under the Act for Adoption of the Proposed Amendments

The following is added to this section of the filing as indicated.

(i) The proposed amendment to Rule 304.12 establishing an alternate means for compliance with on-site examination of books and records requirements by foreign domiciled approved persons is consistent with Section 6(b)(1) of the Act. The amendment will permit the Exchange to fulfill its responsibility to enforce compliance by persons associated with members with the Act, the rules and regulations thereunder, and the rules of the Exchange where on-site Exchange examination is inconsistent with local law or custom.

(ii) The recission of the requirement that a majority of the directors of a member corporation be members or allied members (Rule 311(b)(1)), and the deletion of "Investment advisor" from the proposed definition of "engaged in a securities or kindred business" (Rule 2) are consistent with Section 6(b)(2) of the Act in that the ability of a person to become associated with a member or member organization will be enhanced.

(In addition, the standards for becoming or remaining a member, allied member or approved person incorporated in the amendments to Rules 304(a), 304(b)(1) and 312(e), are consistent with Section 6(b)(2) of the Act in that standards for becoming associated with a member or member organization are established in accordance with the provisions of Section 6(c) of the Act.

The above constitute the only changes to File No. SR-NYSE-77-13 and Amendment No. 1 thereto.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submission will be available for inspection and copying in the Public Reference Room, 1100 L Street, NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before March 13, 1980.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Dated: February 12, 1980.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-5261 Filed 2-20-80; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-16575; File No. SR-Amex-79-21]

American Stock Exchange, Inc.; Self-Regulatory Organization; Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on December 4, 1979 the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

Statement of the Terms of Substance of the Proposed Rule Change

The American Stock Exchange proposed to amend Rule 471 regarding business expansion restrictions and business reduction requirements, as set forth below. (Material indicated by [brackets] is proposed to be deleted; *underlined* material is proposed to be added.)

Business Expansion Restrictions and Business Reduction Requirements

Rule 471. (a) A member organization which carries customer accounts shall not expand its business during any period in which any of the following conditions *continue to* exist [for more than 15 consecutive business days], *which period will commence the later of (i) 15 consecutive business days after the condition exists, or (ii) 5 consecutive business days after the member organization has known or been advised by the Exchange of such condition:*

(i) Its net capital is less than 150 percent of its minimum requirement or such greater percentage as may from time to time be prescribed by the Exchange, or

(ii) If subject to this requirement, its aggregate indebtedness is more than 1,000 per centum of its net capital, or

(iii) If in lieu of (ii) above, the specified percentage of the aggregate debit items in the Formula for Determination of Reserve Requirements for Brokers and Dealers under SEC Rule 15c3-3 (the alternative net capital requirement) is applicable, its net capital is less than 7 percent of the aggregate debit items thereunder, or

(iv) Capital withdrawals including maturities scheduled during the next six

months would result in the condition described in (i), (ii) or (iii) above, or

(v) The Exchange restricts the member organization.

(b) A member organization which carries customer accounts shall forthwith reduce its business to a point enabling its available capital to meet the standards of paragraph (a) [if for more than 15 consecutive business days], *commencing the later of (i) 15 consecutive business days after any of the following conditions continue to exist, or (ii) 5 consecutive business days after the member organization has known or been advised by the Exchange of such condition:*

(i) Its net capital is less than 125 percent of its minimum requirement or such greater percentage as may from time to time be prescribed by the Exchange, or

(ii) If subject to this requirement, its aggregate indebtedness is more than 1,200 per centum of its capital, or

(iii) If in lieu of (ii) above, the specified percentage of the aggregate debit items in the Formula for Determination of Reserve Requirements for Brokers and Dealers under SEC Rule 15c3–3 (the alternative net capital requirement) is applicable, its net capital is less than 6 percent of the aggregate debit items thereunder, or

(iv) Capital withdrawals including maturities scheduled during the next six months would result in the condition described in (i), (ii) or (iii) above, or

(v) The Exchange restricts the member organization.

Statement of Basis and Purpose

The basis and purpose of the foregoing rule change is as follows: Rule 471 authorizes the Exchange to impose certain restrictions on a member organization experiencing capital difficulties, but which is not yet in violation of Rule 470, the Exchange's net capital rule (which incorporates by reference SEC Rule 15c3–1, the uniform net capital rule). Rule 471(a) prohibits a member organization which carries customer accounts from *expanding* its business during any period in which any of five specified conditions relating to its capital position exist for more than 15 consecutive business days. Rule 471(b) requires a member organization to *reduce* its business to the extent necessary for its available capital to meet the standards of Rule 471(a), if any of five other, more serious, conditions exist for more than 15 consecutive business days.[1]

Normally, a member organization discovers a capital problem within 15 days after it arises and attempts to rectify the problem within this period. However, under Rule 471, if the existence of a specified condition is for some reason not discoveed by the member organization until after the 15-day period, the member organization must immediately comply with the applicable business restriction, even though additional capital may be readily available to correct the condition once it is discovered. This aspect of the rule imposes an unnecessary hardship.

The proposed amendment to Rule 471 would allow a member organization at least five business days to take corrective action after the condition is discovered. The amendment, which is similar to a change made recently by the New York Stock Exchange and approved by the Commission, imposes the restrictions of Rule 471(a) and (b) as soon as one or more of the specified conditions has existed for more than 15 days, provided that the member organization has known or been advised by the Exchange of such condition at least five business days previously.[2]

The proposed amendment is consistent with Section 6(b) of the Act in general and furthers the objectives of Section 6(b)(1) and 6(b)(5) of the Act in particular in that it enables the Exchange to enforce compliance by its members with Exchange and SEC financial responsibility rules and provides for the protection of investors and the public interest.

Comments Received From Members, Participants or Others on Proposed Rule Change

No comments were solicited or received with respect to the proposed rule change.

Burden on Competition

The proposed amendment, by relaxing the restrictive operation of Rule 471, will enhance competition since the applicable restrictions will now not take effect as quickly, thereby allowing member firms to avoid unnecessary interruptions of their operations.

On or before March 27, 1980, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer periods to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the commission will:

(A) by order approve such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted on or before March 13, 1980.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

February 14, 1980.

[FR Doc. 80–5389 Filed 2–20–80; 8:45 am]

BILLING CODE 8010-01-M

[1] The two sets of conditions are set forth in subparagraphs (a)(i)–(v) and (b)(i)–(v) of Rule 471—see above.

[2] The amendment to NYSE Rule 326 (approved by SEC Release No. 34–16113 dated August 20, 1979), imposes the rule's restrictions as soon as one or more conditions has existed for more than 15 days, provided such condition has been known to the Exchange for at least five consecutive business days.

Boston Stock Exchange, Inc.; Applications for Unlisted Trading Privileges and of Opportunity for Hearing

February 13, 1980.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f–1 thereunder, for unlisted trading privileges in the following stocks:

American Stores Company, common stock, $1 Par Value (File No. 7–5133);

Burns (R.L.) Corp., common stock, $.10 Par Value (File No. 7–5153);

Executive Industries, Inc., common stock, $.125 Par Value (File No. 7–5154);

Federal Resources Corp., common stock, $.50 Par Value (File No. 7–5155);

Financial Federation Inc., capital stock, $1 Par Value (File No. 7–5156);

Frigitronics Inc., common stock, $.10 Par Value (File No. 7–5157);

Fuqua Industries Inc., common stock, $1 Par Value (File No. 7–5158);

GDV Inc., common stock, $1 Par Value (File No. 7–5159);

General American Oil Co. of Texas, common stock, $1 Par Value (File No. 7–5160);

General Exploration Co., common stock, $1 Par Value (File No. 7-5161);
Genstar Ltd., common stock, No Par Value (File No. 7-5162);
Gerber Products Co., common stock, $2.50 Par Value (File No. 7-5163);
Golden West Financial Corp., common stock, $.10 Par Value (File No. 7-5164);
Granger Associates, capital stock, $1 Par Value (File No. 7-5165);
Great Basins Petroleum Co., common stock, $.40 Par Value (File No. 7-5166);
Grow Group, Inc., common stock, $.10 Par Value (File No. 7-5167);
Guardian Industries Corp., common stock, $1 Par Value (File No. 7-5168);
Harrah's, common stock, $.50 Par Value (File No. 7-5169);
Hecla Mining Co., common stock, $.25 Par Value (File No. 7-5170);
Heileman (G) Brewing Co., Inc., common stock, $1 Par Value (File No. 7-5171);
House of Fabrics, Inc. (Del.), common stock, No Par Value (File No. 7-5172);
Humana Inc., common stock, $.16⅔ Par Value (File No. 7-5173);
International Banknote Co., Inc., common stock, $1 Par Value (File No. 7-5174);
Interstate Power Co., common stock, $3.50 Par Value (File No. 7-5175);
Iowa-Illinois Gas & Electric Co., common stock, $1 Par Value (File No. 7-5176);
IPCO Corp., common stock, $1 Par Value (File No. 7-5177);
Kaiser Steel Corp., common stock, $.66⅔ Par Value (File No. 7-5178);
Keene Corp. (N.Y.), common stock, $.10 Par Value (File No. 7-5179);
Lehman Corp. (The), capital stock, $1 Par Value (File No. 7-5180);
Lennar Corp., common stock, $.10 Par Value (File No. 7-5181);
Macrodyne Industries, Inc., common stock, $.10 Par Value (File No. 7-5182);
Marshall Field & Co., common stock, $1 Par Value (File No. 7-5183);
Measurex Corp., common stock, No Par Value (File No. 7-5184);
Mesa Petroleum Co., common stock, $1 Par Value (File No. 7-5185);
Mission Investment Trust, shares of beneficial interest, $1 Par Value (File No. 7-5186);
Mitchell Energy & Development Corp., common stock, $.10 Par Value (File No. 7-5187);
Narco Scientific, Inc., common stock, $1 Par Value (File No. 7-5188);
New Idria, Inc., capital stock, $.50 Par Value (File No. 7-5189);
Nortek, Inc., common stock, $1 Par Value (File No. 7-5190);
Northwest Energy Co., common stock, $1 Par Value (File No. 7-5191);
Oklahoma Natural Gas Co., common stock, No Par Value (File No. 7-5192);
Pacific Lumber Co. (The), common stock, $1⅓ Par Value (File No. 7-5193);
Pargas Inc., common stock, $1 Par Value (File No. 7-5194);
Piedmont Aviation, common stock, $1 Par Value (File No. 7-5195);
Presley Companies (The), common stock, $.25 Par Value (File No. 7-5196);
RLC Corp., common stock, $1 Par Value (File No. 7-5197);
Republic Corp., common stock, $2.50 Par Value (File No. 7-5198);
Royal Crown Companies Inc., common stock, $1 Par Value (File No. 7-5200);
Sabine Corp., common stock, No Par Value (File No. 7-5201);
Seatrain Lines Inc., capital stock, $1 Par Value (File No. 7-5202);
Shapell Industries Inc., common stock, $1 Par Value (File No. 7-5203);
Shearson Loeb Rhoades Inc., common stock, $.10 Par Value (File No. 7-5204);
Southeastern Public Service Co., common stock, $1 Par Value (File No. 7-5206);
Specialty Restaurants Corp., common stock, $1 Par Value (File No. 7-5205);
Standard-Pacific Corp., common stock, $.25 Par Value (File No. 7-5207);
Sterling Corp., common stock, $.10 Par Value (File No. 7-5208);
Transco Companies, Inc., common stock, $.50 Par Value (File No. 7-5210);
Tubos de Acero de Mexico, S.A., ADR's common, 50 Mexican Pesos Par Value (File No. 7-5211);
Tyler Corp., common stock, $.10 Par Value (File No. 7-5212);
United Foods, Inc., common stock, $1 Par Value (File No. 7-5213);
Univar Corp., common stock, $.33⅓ Par Value (File No. 7-5214);
Washington Gas Light Co., common stock, No Par Value (File No. 7-5215);
Westcoast Transmission Co., Ltd., common stock, No Par Value (File No. 7-5216);
Wheeling-Pittsburgh Steel Corp., common stock, $10 Par Value (File No. 7-5217); and
Zurn Industries, Inc., common stock, $.50 Par Value (File No. 7-5218).

These securities are listed and registered on one or more other national securities exchanges.

Interested persons are invited to submit on or before March 13, 1980, written data, views and arguments concerning the above-referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the Commission will approve the applications if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-5399 Filed 2-20-80; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-16578; Filed No. SR-CBOE-80-2]

Chicago Board Options Exchange, Inc.; Self-Regulatory Organizations; Proposed Rule Changes

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice hereby is given that on January 29, 1980 the Chicago Board Options Exchange, Incorporated, filed with the Securities and Exchange Commission the following proposed rule changes. They implement the Uniform Code of Arbitration (Code), created by the Securities Industry Conference on Arbitration (SICA), as Chicago Board Options Exchange, Incorporated, (Exchange) Rules 18.3 through 18.33.

Exchange' Statement of Basis and Purpose

Proposed rules 18.3 through 18.33 are the Uniform Code of Arbitraion created by SICA to assure the prompt and fair handling of claims. The Securities and Exchange Commission has reviewed the Code. Each SICA participant, including this Exchange, is in the process of formally submitting the Code to the Commission pursuant to Section 19(b) of the Securities Exchange Act of 1934 and Rule 19b-4 thereunder. Proposed rules 18.1 and 18.2 are changed in order to cover Exchange arbitration procedures not covered by the Code.

The addition to Rules 18.1 (a) and (b) requires the approval of the Exchange's Director of Arbitration in connection with the submission of a member or nonmember claim; this requirement ensures that the claim is suitable for arbitration and that the Exchange has jurisdiction of the claim. New section (c) of Rule 18.1 provides for the review by the Board of Directors or a panel of the Board of Directors of such decisions made by the Director of Arbitration. Old section (c) is omitted to eliminate from matters subject to arbitration, employment disputes betwen members and their employees. Finally, Interpretation and Policy .03 is omitted because the time and place of hearing are determined under proposed Rule 18.16.

Rule 18.2 provides procedures in member controversies for the selection of arbitrators by the chairman of the arbitration committee and the use of a reasonable number of peremptory challenges. It also applies the provisions of the Uniform Arbitration Code to member controversies where those provisions are applicable.

The proposed rule changes are part of an industry-wide attempt to provide a

fair, efficient, and relatively inexpensive method of settling disputes in order to protect investors and the public interest and to promote just and equitable principles of trade pursuant to section 6 (b) (5) of the Securities Exchange Act of 1934.

No comments on these proposed rule changes were solicited or received by the Exchange.

The Exchange does not believe that the proposed rule changes will impose any burden on competition.

On or before March 27, 1980, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room; 1100 L Street, NW., Washington, D.C. Copies of such filing also will be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before March 13, 1980.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

February 14, 1980.

[FR Doc. 80-5394 Filed 2-20-80; 8:45 am]

BILLING CODE 8010-01-M

Cincinnati Stock Exchange; Application for Unlisted Trading Privileges and of Opportunity for Hearing

February 13, 1980.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the following stocks:

AMP Incorporated, common stock, No Par Value (File No. 7-5450);
Bally Manufacturing Corporation, common stock, $.66⅔ Par Value (File No. 7-5451);
Black & Decker Manufacturing Company (The), common stock, $.50 Par Value (File No. 7-5452);
Fluor Corporation, common stock, $.62½ Par Value (File No. 7-5453);
Hewlett-Packard Company, common stock, $1 Par Value (File No. 7-5454);
Homestake Mining Company, common stock, $1 Per Value (File No. 7-5455);
International Flavors & Fragrances Incorporated, common stock, $.12½ Par Value (File No. 7-5456);
International Minerals & Chemical Corporation, common stock, $5 Par Value (File No. 7-5457);
Johnson & Johnson, common stock, $2.50 Par Value (File No. 7-5458);
Kerr-McGee Corporation, common stock, $1 Par Value (File No. 7-5459);
MGIC Investment Corporation, common stock, $1 Par Value (File No. 7-5460);
National Semiconductor Corporation, common stock, $.50 Par Value (File No. 7-5461);
Skyline Corporation, common stock, $.277 Par Value (File No. 7-5462);
Squibb Corporation, common stock, $1 Par Value (File No. 7-5463);
Storage Technology Corporation, common stock, $.10 Par Value (File No. 7-5464);
Tandy Corporation, common stock, $1 Par Value (File No. 7-5465);
Thompson (J. Walter) Company, common stock, $.10 Par Value (File No. 7-5466);
Williams Companies, common stock, $1 Par Value (File No. 7-5467);
Houston Oil & Mineral Corporation, common stock, $.10 Par Value (File No. 7-5468); and
Syntex Corporation, common stock, $1 Par Value (File No. 7-5469).

These securities are listed and registered on one or more other national securities exchanges.

Interested persons are invited to submit on or before March 13, 1980, written data, views and arguments concerning the above-referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549, Following this opportunity for hearing, the Commission will approve the applications if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-5400 Filed 2-20-80; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 11049; File No. 812-4613]

Eberstadt Asset Management, Inc., and Eberstadt Fund Management, Inc.; Filing of Application and Order of Temporary Exemption Pending Determination of the Application

February 15, 1980.

Notice is hereby given that Eberstadt Asset Management Inc. ("EAM") and Eberstadt Fund Management Inc. ("EFM"), 61 Broadway, New York, New York 10006, their officers, directors and employees (hereafter also called "Applicants") have filed an application pursuant to Section 9(c) of the Investment Company Act of 1940, 15 U.S.C. 80a-1, *et seq.*, as amended (the "Act") for an order exempting them from the provisions of Section 9(a) of the Act, to the extent such section is applicable, and have requested that the Commission grant a temporary exemption from Section 9(a) pending the Commission's determination of the application for permanent exemption. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Applicants are Delaware corporations engaged in the business of advising investment companies and corporate pension and profit sharing plans.

In March 1978, EAM (then called F. Eberstadt & Co., Inc. ("Eberstadt")) and EFM (then called F. Eberstadt & Co., Managers & Distributors, Inc. ("M&D")) were named as co-defendants in Civil Action No. 78-1055 brought by the Commission in the United States District Court for the Southern District of New York (the "action"). Eberstadt acted as financial advisers to Sun Company, Inc. in connection with the private purchases by LHIW, Inc., a wholly-owned subsidiary of Sun, of approximately 34% of the outstanding common stock of Becton, Dickinson and Company in January 1978. The Commission's complaint alleges, *inter alia*, that LHIW's purchases were not made in compliance with Section 14(d) of the Securities Exchange Act of 1934 (the "Exchange Act") and that certain defendants constituted a "group" prior to January 1978 which violated Section 13(d) of the Exchange Act by failing to file a timely Schedule 13D in connection therewith. The trial on the issue of

liability was completed and the court held, *inter alia*, that Eberstadt and M&D had violated Section 13(d), and that Eberstadt had aided and abetted violations of Section 14(d) of the Exchange Act, and that Eberstadt had violated and M&D had aided and abetted violation of Sections 17(d) and 17(e) of the Investment Company Act of 1940 (the "Act").

Applicants entered into a stipulation of settlement with the Commission and agreed to the entry by the court of an order terminating the action against them with prejudice and requiring them to comply with the stipulation of settlement (the "Order").

Section 9(a) of the Act, insofar as is pertinent here, disqualifies any person, or any company with which such person is affiliated, from acting in the capacity of employee, officer, director, member of any advisory board, investment adviser, or depositor for any registered investment company, or principal underwriter for any registered open-end company, registered unit investment trust, or registered face-amount certificate company, if such person is by reason of any misconduct enjoined by any court of competent jurisdiction from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security. EAM and EFM do not concede that the Order would disqualify them under Section 9(a).

Section 9(c) provides that upon application the Commission shall grant an exemption from the provisions of Section 9(a) either unconditionally or on an appropriate temporary or other conditional basis if it is established that the prohibitions of Section 9(a), as applied to the applicant, are unduly or disproportionately severe or that the conduct of such person has been such as not to make it against the public interest or protection of investors to grant such application.

EAM and EFM have submitted pursuant to Section 9(c) that the prohibitions of Section 9(a) of the Act, to the extent they may be applicable to them by virtue of the entry of the Order, would be unduly and disproportionately severe as applied to them and that their conduct was not such as to make it against the public interest or protection of investors to grant this exemption. In support thereof, EAM and EFM represented that:

(i) The opinion of the court on liability dealt with complex and uncertain areas of the law and constituted in major respects a case of first impression. Applicants relied throughout the transactions at issue on the advice of independent and competent counsel.

(ii) Applicants have never been enjoined, permanently or temporarily, by order, judgment or decree of a court of competent jurisdiction from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security.

(iii) EAM and EFM have never before applied for an exemption from the provisions of Section 9(a) of the Act.

(iv) Subsequent to the events and transactions which gave rise to Civil Action No. 78–1055, Eberstadt underwent a complete reorganization including a change in ownership and the divestiture of its brokerage and investment banking business. Eberstadt's investment advisory businesses, renamed EAM and EFM, were acquired by and are now controlled by Marsh & McLennan Asset Management Company, whose affiliates include other registered investment companies and advisers. Because of this sale and change of ownership, the prohibitions of Section 9(a) would operate against the financial interests of parties not involved in the events and transactions which gave rise to the Order.

(v) The prohibitions of Section 9(a) would unjustifiably deprive EAM & EFM and affiliated persons of their ability to act as investment advisers for investment companies, a line of business which EFM and affiliates have been successfully engaged in many years. Applicants and companies affiliated with them manage billions of dollars of funds. The prohibitions of Section 9(a) would cause extreme and undue hardship and disruptions to those persons and entities who have entrusted the management of their funds to Applicants and their affiliates.

(vi) EAM and EFM have relied on the Commission's staff's agreement to recommend a temporary exemption from the prohibitions of Section 9(a) in entering into a settlement of the action.

The Commission has considered the matter and finds that:

(1) The prohibitions of Section 9(a), to the extent they may be applicable, may be unduly or disproportionately severe as applied to EAM and EFM in that their conduct has been such as not to make it against the public interest or protection of investors to grant the application for a temporary exemption from Section 9(a) pending determination of the application; and

(2) in order to maintain the uninterrupted services provided by EAM and EFM and affiliated persons to regulated investment companies and other managed accounts, it is necessary and appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act that the temporary order be issued forthwith.

Accordingly, it is ordered, Pursuant to Section 9(c) of the Act, that EAM and EFM including their directors, officers, and employees, be and they are hereby temporarily exempted from the provisions of Section 9(a) of the Act pending final determination by the Commission of EAM's and EFM's application for an order exempting them from the provisions of Section 9(a) of the Act, to the extent they may be applicable.

Notice is further given that any interested person may not later than March 17, 1980 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Willkie Farr & Gallagher, One Citicorp Center, 153 East 53rd Street, New York, New York 10022. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided in Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80–5396 Filed 2–20–80; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 11048; 812-4523]

Finance Co. of Pennsylvania; Filing of Application Exempting a Proposed Transaction From the Prohibitions

February 14, 1980.

Notice is hereby given that The Finance Company of Pennsylvania ("Applicant"), 7 East Lancaster Avenue, Ardmore, Pennsylvania 19003, an open-end, non-diversified investment company registered under the Investment Company Act of 1940 ("Act"), filed an application on August 23, 1979, and an amendment thereto on January 30, 1980, for an order, pursuant to Section 17(b) of the Act, exempting from the prohibitions of Section 17(a) of the Act Applicant's sale of 5.175 shares of Common Stock ("Shares") to South Chester Tube Company ("South Chester") for $5,806,350 in cash and a note. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

The application states that South Chester is a Pennsylvania corporation which conducts its operations through its two wholly-owned subsidiaries, principally through Southco, Inc., and to a much lesser extent through Tacony Industrial Park, Inc. Southco, Inc.'s principal business is the manufacture and sale of specialty industrial fasteners. Tacony Industrial Park, Inc.'s principal asset is an industrial park which it leases to other parties. South Chester's presently issued and outstanding Common Stock consists of 20,000 shares, $50 par value, each share having identical rights and privileges. There are no other classes of stock of South Chester issued and outstanding.

Applicant states that the Shares owned by it represent approximately 25.875 percent of South Chester's presently outstanding Common Stock and represent approximately 35.66 percent of Applicant's total assets as of June 30, 1979. Applicant admits that since it owns more than 5 percent of the presently outstanding shares of South Chester Common Stock, Applicant and South Chester are deemded to be affiliated persons of each other under Section 2(a)(3) of the Act. Furthermore, Applicant admits that since persons who own more than 5 percent of Applicant's outstanding Common Stock also own Common Stock of South Chester, the proposed transaction does not qualify for the exemption provided by Rule 17a-6 under the Act.

Applicant submits that in 1977, South Chester initially approached Applicant regarding a possible purchase by South Chester of up to 4,000 shares of South Chester's Common Stock for $735 per share, which shares South Chester proposed to transfer to a subsidiary's employee stock ownership plan. Because the Shares constituted such a significant percentage of Applicant's total assets and Applicant's investment policy contemplates that no more than 25 percent of the value of its portfolio shall be invested in the securities of one issuer, Applicant states that it seriously considered South Chester's proposal. However, no agreement between Applicant and South Chester regarding the sale of any of the Shares was concluded in 1977.

In 1978, Applicant submits that it attempted to interest a third party in purchasing the Shares and to enlist the aid of other South Chester stockholders in voting for the sale of South Chester's assets to a third party. Due to the opposition of other South Chester stockholders, Applicant states that it was not successful in these efforts. Also during 1978, Applicant states that it received preliminary inquiries from various parties concerning the purchase of the South Chester shares owned by Applicant, but no definitive offers were received. Applicant represents that at this time it first became apparent to Applicant that none of these potential purchasers was interested in any transaction other than one involving substantially all of South Chester's Common Stock or substantially all of its assets. Applicant submits that since it lacked the power to effect such a transaction and since the Board of Directors of South Chester was not willing to enter into such a transaction, for all practical purposes the only likely purchaser for the Shares was South Chester.

Because of Applicant's continuing belief that the sale of the Shares to South Chester was the only viable means for disposition of the Shares at a fair price, negotiations between Applicant and South Chester resumed in the Spring of 1979, and resulted in the execution of a Stock Purchase Agreement ("Agreement") dated July 24, 1979. Applicant states that the Agreement was authorized and approved by the respective Boards of Directors of Applicant and South Chester.

The Agreement provides that Applicant will sell, and South Chester will purchase, the Shares for an aggregate consideration of $5,806,350, or $1,122 per share. The Agreement further provides for alternative payment terms. Under alternative (a) if Applicant receives an opinion from its investment adviser or an independent investment banking firm that the value of the South Chester note will not exceed 25 percent of the value of Applicant's total assets on the closing date, Applicant will obtain (i) a cash payment in the amount of $1,740,000 at closing (just under 30 percent of the total consideration in order that the transaction can qualify as an installment sale for Federal income tax purposes), and (ii) the delivery of South Chester's promissory note in the principal amount of $4,066,350, with interest payable quarterly at the rate of 9½ percent per annum on the principal amount from time to time outstanding and with the principal amount payable in an installment of $1,591,350 on January 15, 1981, and installments of $825,000 on January 15 of each of the years 1982, 1983 and 1984.

Under alternative (b) if Applicant's investment adviser or an independent investment banking firm is not able to furnish the opinion referred to in (a) above, Applicant will obtain (i) a cash payment of $2,506,350 at the closing (plus such additional amount but not in excess of $250,000 as is necessary to reduce the principal amount of the note hereinafter described to an amount not in excess of 25 percent of the value of Applicant's total assets on the date of closing), and (ii) the delivery of South Chester's promissory note in the principal amount of $3,300,000 (assuming no portion of the $250,000 is paid), with interest payable quarterly at the rate of 9½ percent per annum on the principal amount from time to time outstanding and with the principal amount payable in four equal installments on January 15th of each of the years 1981, 1982, 1983 and 1984 (with provision for decrease in the first maturing installment by an amount equal to the amount of any increase in the intital cash payment).

Applicant states that consummation of the sale of the Shares is conditioned, among other things, upon receipt of (1) an order from the Commission exempting the sale from the provisions of Section 17(a) of the Act; (2) an opinion of special counsel to Applicant, or rulings from the Internal Revenue Service if deemed advisable by such special counsel, to the effect that (i) the sale will not adversely affect Applicant's present status as a regulated investment company for Federal income tax purposes, (ii) the proceeds from the sale will qualify for capital gains treatment for Federal income tax purposes, and (iii) if payment alternative (a) in the preceding paragraph becomes operative, the sale will be treated as an installment sale for Federal income tax purposes; and (3) an opinion of counsel

to South Chester as to certain other specified matters.

Applicant represents that since there is no trading market for the Shares, its Board of Directors has traditionally established a fair value for the Shares. Applicant states that as of June 30, 1979, this fair value was $5,516,550 or $1,066 per share. Likewise, Applicant states that its investment adviser, as of May 2, 1979, valued the Shares at $1,066 per share. Those valuations included a 25 percent reduction based on the illiquidity of the issue.

Applicant further represents that it retained Janney Montgomery Scott, an independent investment banking firm, to advise it on the possible sale and the fairness of any price negotiated for the Shares by Applicant and South Chester. Applicant states that by letter dated August 8, 1979, the investment banking firm stated its opinion that $1,122 per share represents a fair price for the Shares. Applicant also submits that Coopers & Lybrand arrived at a valuation of $1,122 per share, primarily based upon earnings multiples from the specialty fastener industry (South Chester's primary business).

Applicant admits that the valuation of securities is, of course, not an exact science. Applicant states that based upon (i) the limited opportunities for sale available to Applicant; (ii) the independent judgment of Applicant's Board of Directors; and (iii) the professional investment advice received by Applicant and South Chester, the price it will receive for the Shares and the terms upon which such price will be paid are fair.

Applicant states that because South Chester was willing to entertain the transaction only on the basis that all of the Shares would be sold at the Closing, it initially sought payment of the entire purchase price in cash at the time the Shares were to be sold. Applicant states that South Chester refused this request, citing its need to conserve cash for anticipated expansion and its normal working capital requirements. Applicant believes that it was prudent to receive interest on the installments until paid at the rate of 9½%, particularly since this interest income would be effectively replacing dividends on the Shares, which have been recently yielding approximately 5%. Applicant states that the interest rate was negotiated at the end of June, 1979 and the parties agreed to a rate equal to that paid by General Motors Acceptance Corporation ("GMAC") with respect to its notes having a three-to-five year maturity sold most recent to the end of the week preceding June 25, 1979. Both Applicant and South Chester believe that the interest rate selected was fair to both parties in that the GMAC rate was representative of interest rates then being paid for borrowings on a medium term basis by highly creditworthy borrowers. Applicant recognizes that although GMAC and South Chester are in different businesses (a finance company versus a manufacturing company), Applicant feels that the interest rate negotiated is an appropriate recognition of South Chester's ability to make the installment payments as and when they become due. Applicant represents that South Chester presently has no indebtedness outstanding. Nevertheless, Applicant submits that the note will become immediately due and payable if the retained earnings of South Chester as of the close of any calendar quarter are less than 200% of the unpaid principal balance of the note.

Applicant represents that the South Chester note will be carried in Applicant's financial statements at a fair value as determined by Applicant's Board of Directors. Applicant further represents that the Board of Directors expects to be advised on this question by its investment adviser or an independent investment banking firm selected by it, which will utilize accepted valuation techniques consistent with Applicant's policy for the valuation of securities. Such fair value will be determined as of the date of issuance of this note and from time to time in the future depending upon prevailing interest rates which cannot now be predicted.

Section 17(a) of the Act provides, in pertinent part, that it is unlawful for any affiliated person of a registered investment company, or an affiliated person of such a person, acting as principal, knowingly to sell any security or other property to, or knowingly to purchase any security or other property from, such registered company. Section 17(b) of the Act provides, however, that the Commission, upon application, shall exempt a transaction from such prohibition if evidence established that the terms of the proposed transaction, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned, and that the proposed transaction is consistent with the policy of each registered investment company concerned and with the general purposes of the Act.

Applicant asserts that the terms of the proposed transaction are fair and reasonable, and that the $1,122 per share purchase price for the Shares is a fair and reasonable price based on the appraisals of the Shares by Applicant's investment adviser, Janney Montgomery Scott, and Coopers & Lybrand. Furthermore, Applicant believes that the proposed transaction is consistent with the policy of Applicant and with the general purposes of the Act and is in Applicant's best interests in that it will enable Applicant to diversify its assets and more closely adhere to its stated investment policies. Accordingly, Applicant requests that an order of exemption be granted under Section 17(b) of the Act with respect to the proposed transaction.

Notice is further given that any interested person may, not later than March 10, 1980, at 5:30 p.m., submit to the Commission in writing, a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80–5397 Filed 2–20–80; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–16577; File No. SR–MSE–79–18, Amdt. #5]

Midwest Stock Exchange, Inc.; Self-Regulatory Organizations; Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L.

No. 94–29, 16 (June 4, 1975), notice is hereby given that on February 13, 1980, the above-mentioned self-regulatory organization ("SRO") filed with the Securities and Exchange Commission amendments to proposed rule changes as follows:

SRO's Statement of the Terms of Substance of the Proposed Rule Change

The following are proposed amendments to MSE's rules that reflect the uniform response to a joint SRO Task Force to certain recommendations of the SEC Options Study. This filing includes several proposed amendments that were not included in the original filing (SR–MSE–79–18),[1] and it also includes some revisions to proposals that were previously filed. Where applicable, bracketing and italics identify changes from the rules as set forth in the original filing.

Securities Accounts and Orders of Market Makers

Article XLVII

Rule 11. (a) No change from original filing.

(b) No change from original filing.

(c) No change from original filing.

. . . Interpretations and Policies:

.01 No change from original filing.

.02 No change from original filing.

.03 No change from original filing.

.04 No change from original filing.

.05 No change from original filing.

.06 Reports of accounts and orders required to be filed pursuant to paragraphs (a) and (b) of this Rule relate only to accounts in which a Market-Maker, individually, directly or indirectly, controls trading activities *or has a direct interest in the profits or losses of such accounts.* Thus, reports would be required for accounts over which a Market-Maker exercises investment discretion as well as for his proprietary accounts. [Reports would not be required simply because a Market-Maker has a passive interest in his firm's proprietary accounts.] For purposes of this Rule, related securities include securities convertible into or exchangeable for underlying securities.

Article XLVIII

Opening of Accounts

Rule 3. (a) No change from original filing.

(b) No change from original filing.

(c) No change from original filing.

(d) No change from original filing.

(e) No change from original filing.

. . . Interpretations and Policies:

.01 In fulfilling its obligations pursuant to paragraph (b) of this Rule with respect to options customers that are natural persons, a member organization shall seek to obtain the following information at a minimum (information shall be obtained for all participants in a joint account):

1. No change from original filing.
2. No change from original filing.
3. No change from original filing.
4. No change from original filing.
5. No change from original filing.
6. No change from original filing.
7. No change from original filing.
8. No change from original filing.

In addition, the customer's account records shall contain the following information, if applicable:

a. No change from original filing.

b. No change from original filing.

c. No change from original filing.

d. *Nature and* [T] types of transactions for which account is approved (e.g., buying, covered writing, uncovered writing, spreading, discretionary transactions).

e. No change from original filing.

f. No change from original filing.

g. No change from original filing.

The member organization should consider utilizing a standard account approval form so as to ensure the receipt of all the required information.

.02 No change from original filing.

.03 No change from original filing.

Article XLVIII

Statements of Accounts *to Customers*

Rule 11. [Statements of account shall be sent not less frequently than once every month to each customer in whose account there has been an entry during the preceding month with respect to an option contract. The statement shall bear a legend requesting the customer to promptly advise the member of any material change in the customer's investment or objectives or financial situation.] *Every member organization shall send to its customers statements of account showing security and money positions, entries, interest charges and any special charges that have been assessed against such account during the period covered by the statement; provided, however, that such charges need not be specifically delineated on the statement if they are otherwise accounted for on the statement and have been itemized on transaction confirmations. With respect to options customers having a general (margin) account, such statement shall also provide the mark-to-market price and market value of each options position and other security position in the general (margin) account, the total market value of all positions in the account, the outstanding debit or credit balance in the account, and the general (margin) account equity. The statement shall bear a legend stating that further information with respect to commissions and other charges related to the execution of listed option transactions has been included in confirmations of such transactions previously furnished to the customer, and that such information will be made available to the customer promptly upon request. The statement shall also a bear a legend requesting the customer to promptly advise the member of any material change in the customer's investment objectives or financial situation. Such statements of account shall be sent at least quarterly to all accounts having a money or a security position during the preceding quarter and at least monthly to all accounts having an entry during the preceding month.*

. . . Interpretations and Policies:

.01 For purposes of the foregoing rule, general (margin) account equity shall be computed by subtracting the total of the "short" security values and any debit balance from the total of the "long" security values and any credit balance.

Article XLVIII

Supervision of Accounts

Rule 4. (a) [Delete paragraph (a) from original filing.] *Duty to Supervise; Senior Registered Options Principal. Every member organization shall develop and implement a written program for the review of the organization's non-member customer accounts and all orders in such accounts, insofar as such accounts and orders relate to option contracts. This program shall be under the supervision of a designated Senior Registered Options Principal who is specifically identified to the Exchange and who is an officer (in the case of a corporation) or general partner (in the case of a partnership) of the member organization.*

(b) No change from original filing.

(c) No change from original filing.

(d) No change from original filing.

. . . Interpretations and Policies:

.01 No change from original filing.

.02 No change from original filing.

.03 Each member organization shall maintain, at the principal supervisory office having jurisdiction over the office servicing the customer's account, information to permit review of each customer's options account on a timely basis to determine (i) the compatibility

[1] Notice of filing of the proposed rule changes was given by publication of a Commission release (Securities Exchange Act Release No. 16254, October 5, 1979) and by publication in the **Federal Register** (44 FR 59974, October 17, 1979).

of options transactions with investment objectives and with the types of transactions for which the account was approved; (ii) the size and frequency of options transactions; (iii) commission activity in the account; (iv) profit or loss in the account; (v) undue concentration in any option class or classes; and (vi) compliance with the provisions of Regulation T of the Federal Reserve Board.

Article XIII

Communications to Customers

Rule 4. (a) General Rule. No member or member organization *or person associated with a member* [, and no partner or employee thereof,] shall utilize any advertisement, sales literature or other communications to *any* customer[s] or *member of* the public concerning options which:

(i) No change from original filing.
(ii) No change from original filing.
(iii) No change from original filing.
(iv) No change from original filing.
(v) No change from original filing.

(b) No change from original filing.
(c) No change from original filing.
(d) No change from original filing.
(e) No change from original filing.
. . . Interpretations and Policies:
.01 The special risks attendant to options transactions and the complexities of certain options investment strategies shall be reflected in any *advertisement or sales literature* [communications] which discusses the uses or advantages of options. *All advertisements and sales literature discussing the use of options should include a warning to the effect that options are not for everyone.* In the preparation of *written* communications respecting options, the following guidelines should be observed:

A. No change from original filing.

B. It should not be suggested that options are suitable for all investors. [All communications discussing the use of options should include the warning to the effect that options are not for everyone.]

C. No change from original filing.

.02 No change from original filing.

.03 Written communications (other than advertisements) pertaining to options shall conform to the following standards:

A. [Such communications] *Sales literature* shall state that supporting documentation for any claims (including any claims made on behalf of options programs or options expertise of sales persons), comparisons, recommendations, statistics or other technical data, will be supplied upon request.

B. No change from original filing.

C. Such communications may feature records and statistics which portray the performance of past recommendations or of actual transactions *of the member organization (but not of an individual Registered Representative),* provided that:

(i) any such portrayal *is done in a balanced manner, and consists of records or statistics that are* [must be] confined to a specific "universe" that can be fully isolated and circumscribed and that covers at least the most recent 12-month period;

(ii) such communications include [or offer to provide] the date of each initial recommendation or transaction as of such date, and the date and price of each recommendation or transaction at the end of the period or when liquidation was suggested or effected, whichever was earlier; *provided that if the communications are limited to summarized or averaged records or statistics, in lieu of the complete record there may be included the number of items recommended or transacted, the number that advanced and the number that declined, together with an offer to provide the complete record upon request;*

(iii) No change from original filing.

[(iv) in the event such records or statistics are summarized or averaged such communications include the number of items recommended or transacted, the number that advanced and the number that declined;]

[(v)] *(iv)* No change from original filing.

[(vi)] *(v)* No change from original filing.

[(vii)] *(vi)* No change from original filing.

D. No change from original filing.

E. No change from original filing.

F. If a member organization has adopted a standard form of worksheet for a particular options strategy, non-standard worksheets for that strategy may not be used.

[F.] *G.* No change from original filing.

Educational Circular Under Article VIII, Rule 7

Front-Running of Blocks

This educational circular presents the Exchange's enforcement policy with respect to certain practices generally referred to as "front-running of blocks". Because a block transaction in an underlying security may have an impact on the market for that security or the options covering that security (or vice versa), the Exchange would be concerned if its members were to engage in the practice of trading in options or in underlying securities when they are in possession of material non-public information concerning block transactions in these securities. In keeping with its responsibility to assure the fairness of its market, the Exchange wishes to emphasize that this kind of activity on the part of market professionals is conduct inconsistent with just and equitable principles of trade and will be dealt with in enforcement proceedings under Chapter XVII.

Although it is not possible to provide an all-inclusive definition of front-running in all of its forms, the Exchange believes that it is important to provide standards describing the kind of conduct that will not be permitted, both in order to provide guidance for members and to avoid interfering with entirely legitimate transactions that do not involve front-running. For this purpose, the Exchange has prepared this educational circular discussing the kind of conduct involving the front-running of blocks that would be considered to be in violation of Article VIII, Rule 7. It must be recognized that the following discussion of prohibited conduct is not exclusive, and that conduct not specificially described in this circular may nonetheless constitute front-running that comes wih the broad prohibition of Article VIII, Rule 7. Although this circular concentrates on proprietary trading of members, front-running violations may also occur in certain agency situations, such as where a member passes on non-public information concerning block transactions to a customer who then trades on the basis of the information.

The Exchange considers it to be conduct inconsistent with just and equitable principles of trade in violation of Rule Article VIII, Rule 7 for a member or person associated with a member for an account in which such member or person has an interest, or for an account with respect to which such member or person exercises investment discretion, to cause to be executed:

(1) an order to buy or sell an option when such member or person causing such order to be executed has knowledge of a block transaction in the underlying security, or

(2) an order to buy or sell an underlying security when such member or person causing such order to be executed has knowledge of a block transaction in an option covering that security,

prior to the time information concerning the block transaction has been made publicly available. Front-running may be based upon knowledge of less than

all of the terms of the transaction, so long as there is knowledge that all of the material terms of the transaction have been or will imminently be agreed upon. Notwithstanding the foregoing, if a member firm receives at or about the same time a customer's order of block size relating to both an option and the underlying security, the member may position the other side of one or both components of the order, subject to applicable exchange rules governing crosses. However, the member firm would not be able to cover any resulting proprietary position by entering an offsetting order until information concerning all block transactions involved has been made publicly available.

The application of this circular is limited to transactions that are required to be reported on the last sale reporting systems administered by CTA or OPRA, and information as to a block transaction shall be considered to be publicly available when it has been disseminated via the tape or high speed communication line of one of those systems. Public outcry on the Exchange Floor shall not be deemed to make such information publicly available except in unusual circumstances with the advance approval of two Floor Officials.

A transaction involving 10,000 shares or more of an underlying security or options covering such number of shares shall be conclusively deemed to be a block transaction, although transactions of less than 10,000 shares may also be block transactions in appropriate cases. A block transaction that has been agreed upon does not lose its identity as such by arranging partial execution of the transaction in portions which themselves are not of block size. In this situation, the requirement that information concerning the transaction be made publicly available will not be satisfied until the entire block transaction has been completed and publicly reported.

Effectiveness Timetable

Rule	Number of days following Commission approval [1]
3(a) of Article XLVIII [2]	30 days.
3(b), (c), (d), and (e) of Article XLVIII.	30 days for initial verification; 60 days for subsequent verification.
11 of Article XLVIII	180 days.
5(b) of Article XLVIII	30 days.
14 of Article XLVIII	60 days.
4(a) of Article XLVIII	30 days.
4(b) of Article XLVIII	90 days.
4(c) of Article XLVIII	90 days.
4.01 of Article XLVIII	90 days.
16 of Article VIII	30 days.
7 of Article XII	Immediately.
4(a) of Article XIII	Immediately.
4(b) of Article XIII	90 days; until then approval under present 4(a).

Effectiveness Timetable—Continued

Rule	Number of days following Commission approval [1]
4(c), (d), (e) of Article XIII	Immediately.
2(a) of Article L	60 days.
2(b) of Article L	Immediately.
2(c) of Article L	60 days.
11(b), (c) of Article XLVIII	60 days.
"Front-running" circular	Immediately.
4(d) of Article XLVIII	90 days.
6(a) of Article XLVIII	60 days.
6(b) of Article XLVIII	90 days.

[1] The Exchange may grant members additional time to comply with certain of these rules on a case-by-case basis, but no extension of time will be granted for more than 6 months after the effectiveness of the rule in question as stated in this table. In granting or denying requests for extensions of time the Exchange will act jointly with other self-regulatory organizations that have comparable rules insofar as the requesting parties are members of the Exchange and such other SROs.

[2] Within 12 months following their effectiveness as stated in this table, Rules 3(a), (b), (d) and (e) of Article XLVIII must be complied with in respect of customers' accounts that were approved for options transactions prior to the effectiveness of these rules in order for those accounts to remain so approved.

SRO's Statement of Basis and Purpose

The basis and purpose of the foregoing proposed rule change is as follows:

This amendment to the original filing (SE–MSE–79–18) is for the purpose of proposing rules amendments in response to certain recommendations of the Special Study of Options Markets that were not addressed in the original filing, as well as proposing certain editorial and minor substantive amendments to previously filed proposals.

The statutory basis for all of these proposed rule changes remains as stated in the original filing. The purpose of each of the substantive proposed rule changes included in this filing is as follows:

Rule 3, Article XLVIII The minimum information that must be reflected in customers account records has been expanded to include whether the account is approved for discretionary orders.

Rule 11, Article XLVIII In response to Options Study Recommendation 1.A.2.a., we propose to revise Rule 11 to expand the information which member organizations must disclose in the statement sent to customers having a general (margin) account. By limiting this requirement to margin accounts, the information will be furnished to most options customers without imposing undue burdens on member firms. The proposal will require that statements of margin accounts sent to such customers reflect the mark-to-the-market price and market value for all security positions in the account, the total of market value of all positions in the account, the debit (or credit) balance, and account equity. We have defined general (margin) account equity in proposed Interpretation .01 to Rule 11 as the difference between the total of long security values, including any credit balance, and the total of short security values, including any debit balance.

Finally, we propose to require a legend on account statements to the effect that information concerning commissions and other charges has been included in confirmations, and will be furnished to customers upon request.

Rule 4, Article XLVIII Options Study recommendation 1.A.2.e. calls for the adoption of rules requiring that the headquarters office of every options broker-dealer be in a position to timely review each customer's account to determine the extent of commissions and realized and unrealized losses relative to account equity, the existence of usual credit extensions and unusual account risks or trading patterns.

In response, Rule 4 is proposed to be revised to impose in explicit terms the obligation for firms to develop and implement headquarters account review procedures, and to impose record-keeping requirements to facilitate such review. Recognizing the decentralized supervisory structure which many large securities firms have adopted, the proposed amendment is keyed to review by the "principal supervisory office having jurisdiction over the officer supervising the customer's account."

Rule 4, Article XIII The proposed rule amendments as previously filed regarding customer communications have been modified in certain respects. First, the general rule regarding customer communications in paragraph (a) of the Rule has been clarified to cover communications by persons associated with member organizations and to apply to communications with an individual customer or member of the public. Also, the applicability of the various standards of the rule to different categories of communications (advertising, sales literature and other communications) has been further clarified to emphasize that representations concerning past performance must be made in a balanced manner and must pertain to the member organization as a whole. Representations concerning the past performance of a particular registered representative are, thus, prohibited. We have also added specific requirements concerning the furnishing of supporting detail whenever statements involving past performance are made. Finally, a new requirement has been added to Interpretation .02 to Rule 4 barring the use of non-standard options worksheets where a member organization has

adopted a standard form of worksheet for a particular options strategy.

SRO's Statement on Burden on Competition

MSE does not believe that the rule changes proposed in this Amendment No. 5 to File No. SR-MSE-79-18 will impose any burdens on competition.

SRO's Statement on Comments Received

MSE does not believe that the rule changes proposed in this Amendment No. 5 to File No. SR-MSE-79-18 will impose any burdens on competition.

Comments on rule changes previously proposed were summarized in MSE's prior filing SR MSE-79-18. Editorial revisions to those proposals reflected herein were not submitted to members for comments. Comments on proposed rule changes presented herein for the first time were solicited in response to a preliminary draft of the proposals that were mailed to member firms.

Date of Effectiveness of Proposed Rule Change and Timing for Commission Action

On or before March 27, 1980, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding, or (ii) as to which the above-mentioned self-regulatory organization consents the Commission will:

(a) By order approve such proposed rule change, or

(b) Institute proceedings to determine whether the proposed rule change should be disapproved.

Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street, NW., Washington D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before March 13, 1980.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

February 14, 1980.

[FR Doc. 80-5390 Filed 2-20-80; 8:45 am]

BILLING CODE 8010-01-M

Midwest Stock Exchange, Inc.; Applications for Unlisted Trading Privileges and of Opportunity for Hearing

February 13, 1980.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the following stocks:

McDonnell Douglas Corp., common stock, $1 Par Value (File No. 7-5219);
TRE Corp., common stock, $1 Par Value (File No. 7-5220);
United Merchants & Manufacturers, Inc., common stock, $1 Par Value (File No. 7-5221);
Unarco Industries Inc., common stock, $2.50 Par Value (File No. 7-5222);
Wometco Enterprises, Inc., Class A common stock, $1 Par Value (File No. 7-5223);
West Point-Pepperell, Inc., common stock, $5 Par Value (File No. 7-5224);
Warnaco Inc., common stock, No Par Value (File No. 7-5225);
Westcoast Transmission Co. Ltd., capital stock, No Par Value (File No. 7-5226);
Advanced Micro Devices Inc. common stock, $.01 Par Value (File No. 7-5227);
Allergan Pharmaceuticals, Inc., common stock, No Par Value (File No. 7-5228);
American Century Mortgage Investors, Shs. Ben. Int., No Par Value (File No. 7-5229);
American Heritage Life Investment Corp., common stock, $1 Par Value (File No. 7-5230);
American Savings & Loan of Florida, common stock, $.50 Par Value (File No. 7-5231);
Amsted Industries Inc., common stock, $1 Par Value (File No. 7-5232);
Analog Devices Inc., common stock, $.16⅔ Par Value (File No. 7-5233);
Appalachian Power Company, common stock, No Par Value (File No. 7-5234);
Armstrong Rubber Company, common stock, $1 Par Value (File No. 7-5235);
Arrow Electronics, Inc., common stock, $1 Par Value (File No. 7-5236);
Aydin Corporation, common stock, $1 Par Value (File No. 7-5237);
AVX Corporation, common stock, $1 Par Value (File No. 7-5238);
Baldor Electric Co., common stock, $.10 Par Value (File No. 7-5239);
Banner Industries, Inc., common stock, $.10 Par Value (File No. 7-5240);
Barry Wright Corporation, common stock, $1 Par Value (File No. 7-5241);
Barnett Banks of Florida, Inc., common stock, $2 Par Value (File No. 7-5242);
Bay Colony Properties Company, Shs. Ben. Int., No Par Value (File No. 7-5243);
Bearings, Inc., common stock, No Par Value (File No. 7-5244);
Beker Industries Corporation, common stock, $.3⅓ Par Value (File No. 7-5245);
Bell Industries, common stock, No Par Value (File No. 7-5246);
Binney & Smith Inc., common stock, $2.50 Par Value (File No. 7-5247);
Biscayne Federal Savings & Loan Association, capital shs., .01 Par Value (File No. 7-5248);
BT Mortgage Investors, Shs. Ben. Int., $.50 Par Value (File No. 7-5249);
R. L. Burns Corporation, common stock, $.10 Par Value (File No. 7-5250);
Butler International, Inc., common stock, $1 Par Value (File No. 7-5251);
Cannon Mills Company, common stock, $5 Par Value (File No. 7-5252);
Cameron-Brown Investment Group, Shs. Ben. Int., No Par Value (File No. 7-5253);
Carnation Company, common stock, $2 Par Value (File No. 7-5254);
Cenco Incorporated, common stock, $1 Par Value (File No. 7-5255);
Chelsea Industries, Inc., common stock, $1 Par Value (File No. 7-5256);
Century Telephone Enterprises, Inc., common stock, $1 Par Value (File No. 7-5257);
Cincinnati Bell, Inc., common stock, $25 Par Value (File No. 7-5258);
Citizens & Southern Realty Investors, Shs. Ben. Int., $1 Par Value (File No. 7-5259);
The Christiana Companies, Inc., common stock, $1 Par Value (File No. 7-5260);
CNA Income Shares, Inc., common stock, $1 Par Value (File No. 7-5261);
Coachmen Industries, Inc., common stock, No Par Value (File No. 7-5262);
Comdisco, Inc., common stock, $.10 Par Value (File No. 7-5263);
Computervision Corporation, common stock, $.05 Par Value (File No. 7-5264);
Community Psychiatric Centers, common stock, $1 Par Value (File No. 7-5265);
Community Public Service Company, common stock, $10 Par Value (File No. 7-5266);
Connecticut General Insurance Corporation, common stock, $2.50 Par Value (File No. 7-5267);
Connecticut General Mortgage & Realty Investments, Shs. Ben. Int., No Par Value (File No. 7-5268);
Connecticut Natural Gas Corporation, common stock, $6.25 Par Value (File No. 7-5269);
Conoco, Inc., common stock, $5 Par Value (File No. 7-5270);
Conwood Corporation, common stock, $8⅓ Par Value (File No. 7-5271);
Cook United, Inc., common stock, $1 Par Value (File No. 7-5272);
Cooper Industries, Inc., common stock, $5 Par Value (File No. 7-5273);
Corroon & Black Corporation, common stock, $.25 Par Value (File No. 7-5274);
CP National Corporation, common stock, $5 Par Value (File No. 7-5275);
Cyclops Corporation, common stock, $1 Par Value (File No. 7-5276);
Daniel Industries, Inc., common stock, $2.50 Par Value (File No. 7-5277);
Datapoint Corporation, common stock, $.25 Par Value (File No. 7-5278);

Data Terminal Systems, Inc., common stock, $.20 Par Value (File No. 7-5279);
Deltec International Limited, ADR, $1 Par Value (File No. 7-5280);
Dennison Manufacturing Company, common stock, $5 Par Value (File No. 7-5281);
Dial Corporation, common stock, No Par Value (File No. 7-5282);
Documation Inc., common stock, $.01 Par Value (File No. 7-5283);
Diversified Mortgage Investors, Inc., common stock, $1 Par Value (File No. 7-5284);
Donaldson Company, Inc., common stock, $.10 Par Value (File No. 7-5285);
Dynamics Corporation of American, common stock, $.10 Par Value (File No. 7-5286);
Edwards (A. G.) & Sons, Inc., common stock, $1 Par Value (File No. 7-5287);
Elcor Corporation, common stock, $1 Par Value (File No. 7-5288);
Equitable Life Mortgage & Realty Investors, Shs. Ben. Int., $1 Par Value (File No. 7-5289);
Essex Chemical Corporation, common stock, $1 Par Value (File No. 7-5290);
Family Dollar Stores, Inc., common stock, $.10 Par Value (File No. 7-5291);
Federal Express Corporation, common stock, $.10 Par Value (File No. 7-5292);
Fleming Companies, Inc., common stock, $2.50 Par Value (File No. 7-5293);
Filmways, Inc., common stock, $.25 Par Value (File No. 7-5294);
Financial Corporation of America, common stock, $.50 Par Value (File No. 7-5295);
First Union Real Estate Equity & Mortgage Inv., Shs. Ben. Int., $1 Par Value (File No. 7-5296);
First Pennsylvania Mortgage Trust, Shs. Ben. Int., $1 Par Value (File No. 7-5297);
Foremost-McKesson, Inc., common stock, $2 Par Value (File No. 7-5298);
Fotomat Corporation, common stock, $.10 Par Value (File No. 7-5299);
Four-Phase Systems, Inc., common stock, $.04 Par Value (File No. 7-5300);
Fox-Stanley Photo Products, Inc., common stock, $1 Par Value (File No. 7-5301);
Galveston-Houston Company, common stock, $.33⅓ Par Value (File No. 7-5302);
General Growth Properties, Shs. Ben. Int., $1 Par Value (File No. 7-5303);
General Care Corporation, common stock, $.10 Par Value (File No. 7-5304);
Geosource, Inc., common stock, $1 Par Value (File No. 7-5305);
GK Technologies, Inc., common stock, $1 Par Value (File No. 7-5306);
GMR Properties, common stock, No Par Value (File No. 7-5307);
Gray Drug Stores, Inc., common stock, $1 Par Value (File No. 7-5308);
Great Lakes International, Inc., common stock, No Par Value (File No. 7-5309);
Great Northern Iron Ore Properties, Ctfs Ben. Int., No Par Value (File No. 7-5310);
Grow Group, Inc., common stock, $.10 Par Value (File No. 7-5311);
Growth Realty Companies, Shs. Ben. Int., $1 Par Value (File No. 7-5312);
Guardian Industries Corporation, common stock, $1 Par Value (File No. 7-5313);
Hajoca Corporation, common stock, $1 Par Value (File No. 7-5314);
Hartfield Zody's Inc., common stock, $1 Par Value (File No. 7-5315);
Heath Tecna Corporation, common stock, No Par Value (File No. 7-5316);
Hoover Universal, Inc., common stock, $1 Par Value (File No. 7-5317);
Hi-Shear Industries, common stock, $.10 Par Value (File No. 7-5318);
Huffy Corporation, common stock, $1 Par Value (File No. 7-5319);
Hubbard Real Estate Investment, Shs. Ben. Int., No Par Value (File No. 7-5320);
Hudson Bay Mining & Smelting Co. Ltd., Class A common stock, No Par Value (File No. 7-5321);
INA Investment Securities, Inc., common stock, $.10 Par Value (File No. 7-5322);
Institutional Investors Trust, Shs. Ben. Int., No Par Value (File No. 7-5323);
International Aluminum Corporation, common stock, $1 Par Value (File No. 7-5324);
Jamesway Corporation, common stock, $1 Par Value (File No. 7-5325);
Kaiser Steel Corporation, common stock, $.66⅔ Par Value (File No. 7-5326);
KLM Royal Dutch Airlines, common stock, 100 Dutch Gildens (File No. 7-5327);
Kollmorgen Corporation, common stock, $2.50 Par Value (File No. 7-5328);
Koger Properties, Inc., common stock, $.10 Par Value (File No. 7-5329);
Keystone International Inc., common stock, $1 Par Value (File No. 7-5330);
Kenilworth Realty Trust, Shs. Ben. Int., $1 Par Value (File No. 7-5331);
Kuhlman Corporation, common stock, $1 Par Value (File No. 7-5332);
Lanier Business Products, Inc., common stock, $1 Par Value (File No. 7-5333);
La Quinta Motor Inns, Inc., common stock, $.10 Par Value (File No. 7-5334);
Lear Petroleum Corporation, common stock, $.10 Par Value (File No. 7-5335);
Lee Enterprises, Inc., common stock, $2 Par Value (File No. 7-5336);
Leggett & Platt, Inc., common stock, $1 Par Value (File No. 7-5337);
LITCO Bancorporation of New York, Inc., common stock, $5 Par Value (File No. 7-5338);
Lifemark Corporation, common stock, $.01 Par Value (File No. 7-5339);
Lomas & Nettleton Mortgage Investors, Shs. Ben. Int., No Par Value (File No. 7-5340);
Lowe's Companies, Inc., common stock, $.50 Par Value (File No. 7-5341);
Ludlow Corporation, common stock, No Par Value (File No. 7-5342);
MacMillian Bloedel Limited, common stock, No Par Value (File No. 7-5343);
Manhattan Life Corporation, common stock, $2 Par Value (File No. 7-5344);
Management Assistance, Inc., common stock, $.40 Par Value (File No. 7-5345);
Mark Controls Corporation, common stock, $1 Par Value (File No. 7-5346);
MassMutual Mortgage & Realty Investors, Shs. Ben. Int., No Par Value (File No. 7-5347);
McDonough Company, common stock, $1 Par Value (File No. 7-5348);
Measurex Corporation, common stock, No Par Value (File No. 7-5349);
Mesa Royalty Trust, Shs. Ben. Int., No Par Value (File No. 7-5350);
Medtronic, Inc., common stock, $.10 Par Value (File No. 7-5351);
Memorex Corporation, common stock, $1 Par Value (File No. 7-5352);
Mercantile Texas Corporation, common stock, $5 Par Value (File No. 7-5353);
Mesabi Trust, Ctfs. Ben. Int., No Par Value (File No. 7-5354);
Metro-Goldwyn-Mayer Inc., common stock, No Par Value (File No. 7-5355);
Midland Mortgage Investors Trust, Shs. Ben. Int., No Par Value (File No. 7-5356);
McMoRan Oil & Gas Co., common stock, $1 Par Value (File No. 7-5357);
Miller-Wohl Company, Inc., common stock, $.50 Par Value (File No. 7-5358);
Milton Roy Company, common stock, $1 Par Value (File No. 7-5359);
Minnesota Power & light Company, common stock, No Par Value (File No. 7-5360);
MONY Mortgage Investors, common stock, $.50 Par Value (File No. 7-5361);
Mortgage Trust of America, Shs. Ben. Int., $1 Par Value (File No. 7-5362);
Napco Industries, Inc., common stock, $1 Par Value (File No. 7-5363);
National Liberty Corporation, common stock, $1 Par Value (File No. 7-5364);
Newell Companies, Inc., common stock, $1 Par Value (File No. 7-5365);
NCNB Corporation, common stock, $2.50 Par Value (File No. 7-5366);
Newcorp Inc., common stock, $1 Par Value (File No. 7-5367);
Newpark Resources, common stock, $1 Par Value (File No. 7-5368);
North America Mortgage Investors, Shs. Ben. Int., No Par Value (File No. 7-5369);
New England Nuclear Corporation, common stock, $1 Par Value (File No. 7-5370);
Northern California Savings & Loan Association, capital stock, No Par Value (File No. 7-5371);
Northrop Corporation, common stock, $1 Par Value (File No. 7-5372);
Orion Capital Corporation, common stock, $1 Par Value (File No. 7-5373);
Outlet Company, common stock, No Par Value (File No. 7-5374);
Overhead Door Corporation, common stock, $1 Par Value (File No. 7-5375);
Pacific Lumber Co., common stock, $1⅓ Par Value (File No. 7-5376);
Pacific Northwest Bell Telephone Company, common stock, $11 Par Value (File No. 7-5377);
Pacific Scientific, common stock, $1 Par Value (File No. 7-5378);
Penn Central Corp., common stock, $1 Par Value (File No. 7-5379);
Pengo Industries, Inc., common stock, $.25 Par Value (File No. 7-5380);
Perkin-Elmer Corporation, common stock, $1 Par Value (File No. 7-5381);
Pertec Computer Corporation, common stock, $.10 Par Value (File No. 7-5382);
PennCorp Financial, Inc., common stock, $.50 Par Value (File No. 7-5383);
Petroleum & Resources Corporation, common stock, $1 Par Value (File No. 7-5384);
PHH Group, Inc., common stock, No Par Value (File No. 7-5385);
Prime Motor Inns, Inc., common stock, $.05 Par Value (File No. 7-5386);
Pogo Producing Company, common stock, $1 Par Value (File No. 7-5387);
Plantronics, Inc., common stock, $1 Par Value (File No. 7-5388);

PNB Mortgage & Realty Investors, Shs. Ben. Int., $1 Par Value (File No. 7-5389);
Prime Computer, Inc., common stock, $.0125 Par Value (File No. 7-5390);
Public Service Company of New Hampshire, common stock, $5 Par Value (File No. 7-5391);
Presley Companies, common stock, $.1875 Par Value (File No. 7-5392);
Puritan Fashions Corporation, common stock, $1 Par Value (File No. 7-5393);
RB Industries, Inc., common stock, No Par Value (File No. 7-5394);
Realty ReFund Trust, Shs. Ben. Int., No Par Value (File No. 7-5395);
RES Investment Corporation, common stock, $2.50 Par Value (File No. 7-5396);
Republic Mortgage Investors, Shs. Ben. Int., No Par Value (File No. 7-5397);
RLC Corporation, common stock, $1 Par Value (File No. 7-5398);
Rolm Corporation, common stock, $.085 Par Value (File No. 7-5399);
Ryan Homes, Inc., common stock, No Par Value (File No. 7-5400);
Saul (B. F.) Real Estate Investment Trust, Shs. Ben. Int., $10 Par Value (File No. 7-5401);
SCA Services, Inc., common stock, $1 Par Value (File No. 7-5402);
Scientific-Atlanta, Inc., common stock, $.50 Par Value (File No. 7-5403);
Sealed Air Corporation, common stock, $.01 Par Value (File No. 7-5404);
SEAFIRST Corporation, common stock, $5 Par Value (File No. 7-5405);
Security Pacific Corporation, common stock, $10 Par Value (File No. 7-5406);
Shaklee Corporation, common stock, No Par Value (File No. 7-5407);
Shell Transport & Trading Company, Ltd., NY Shs. for 4 Ord. Shs., 5 S Sterling (File No. 7-5408);
Snap-on Tools Corporation, common stock, $1 Par Value (File No. 7-5409);
Southwest Gas Corp., common stock, $1 Par Value (File No. 7-5410);
South Atlantic Financial Corporation, common stock, No Par Value (File No. 7-5411);
Spectra-Physics, Inc., capital stock, $.20 Par Value (File No. 7-5412);
Southwest Airlines Company, common stock, $1 Par Value (File No. 7-5413);
Standard Motor Products, Inc., Class A capital stock, $2 Par Value (File No. 7-5414);
Standard Pacific Corporation, common stock, $.25 Par Value (File No. 7-5415);
Sta-Rite Industries, Inc., common stock, $2 Par Value (File No. 7-5416);
State Mutual Investors, Shs. Ben. Int., No Par Value (File No. 7-5417);
Sun Electric Corporation, common stock, $1 Par Value (File No. 7-5418);
TeleCom Corporation, common stock, $1 Par Value (File No. 7-5419);
Texas Industries, Inc., common stock, $1 Par Value (File No. 7-5420);
Teradyne, Inc., common stock, $1.25 Par Value (File No. 7-5421);
Texfi Industries, Inc., common stock, $1 Par Value (File No. 7-5422);
Thomas Industries, Inc., common stock, $1 Par Value (File No. 7-5423);
Tidewater Inc., common stock, $1 Par Value (File No. 7-5424);
Toys "R" US, Inc., common stock, $1 Par Value (File No. 7-5425);
Transamerica Income Shares, Inc., common stock, $1 Par Value (File No. 7-5426);
Toro Company, common stock, $1 Par Value (File No. 7-5427);
Tokheim Corporation, common stock, $1 Par Value (File No. 7-5428);
Tri-South Mortgage Investors, Shs. Ben. Int., No Par Value (File No. 7-5429);
Trico Industries, Inc., common stock, $.50 Par Value (File No. 7-5430);
Twin Disc, Inc., common stock, No Par Value (File No. 7-5431);
Tymshare, Inc., common stock, No Par Value (File No. 7-5432);
Tosco Corporation, common stock, $.15 Par Value (File No. 7-5433);
UMET Trust, Shs. Ben. Int., $1 Par Value (File No. 7-5434);
Unilever Limited, Am. Shs. Rep. Ord. Sh. (File No. 7-5435);
Unilever N.V., 20 Gilder Par Ord. Shs. (File No. 7-5436);
US Air, Inc., common stock, $1 Par Value (File No. 7-5437);
U.S. Realty Investments, Shs. Ben. Int., No Par Value (File No. 7-5438);
Veeco Instruments, Inc., common stock, $1 Par Value (File No. 7-5439);
Van Dorn Company, common stock, No Par Value (File No. 7-5440);
Vulcan, Inc., common stock, No Par Value (File No. 7-5441);
Wabash, Inc., common stock, No Par Value (File No. 7-5442);
Wachovia Realty Investments, Shs. Ben. Int., $1 Par Value (File No. 7-5443);
Walker (Hiram) Gooderham & Worts Limited, Class A & B common stock, No Par Value (File No. 7-5444);
Wells Fargo Mortgage & Equity Trust, Shs. Ben. Int., No Par Value (File No. 7-5445);
Wisconsin Power & Light Company, common stock, $5 Par Value (File No. 7-5446);
Wyle Laboratories, common stock, No Par Value (File No. 7-5447);
Wyly Corporation, common stock, $.10 Par Value (File No. 7-5448); and
Zero Corporation, common stock, $1 Par Value (File No. 7-5449).

These securities are listed and registered on one or more other national securities exchanges.

Interested persons are invited to submit on or before March 13, 1980, written data, views and arguments concerning the above-referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the Commission will approve the applications if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-5401 Filed 2-20-80; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-16581; File No. SR-NSCC-80-3]

National Securities Clearing Corp.; Self-Regulatory Organizations; Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s (b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on February 8, 1980, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

Statement of the Terms of Substance of the Proposed Rule Change.

The proposed rule change, which shall only be effective until one year from the date of publication in the **Federal Register** (February 23, 1981), is as follows:

Rule 5 Section 4

The Corporation may, in its discretion, require Settling Members to provide appropriate staff in their offices during specified hours on non-clearing days when such is deemed necessary by the Corporation to insure the integrity of its systems and/or for the protection of the Corporation.

Statement of Basis and Purpose

The basis and purpose of the foregoing proposed rule change is as follows:

To facilitate the daily flow of work through our Settling Members during periods of abnormally high trading volume or other emergency situations.

NSCC Rule 2 Section 3 provides that when NSCC approves an applicant for membership in NSCC, the applicant must (ii) demonstrate "that it has adequate personnel capable of handling transactions with the Corporation * * * and to meet the operational requirements of, the Corporation and other Settling Members with necessary promptness and accuracy and to conform to any condition and requirement which the Corporation reasonably deems necessary for its protection * * *."

The proposed rule states, with specificity, one of the means that NSCC has determined is appropriate, during exceptional times such as record volume days, to protect NSCC, to insure the integrity of its systems and to insure the prompt and accurate clearance and

million pounds to 570 million pounds. Based on these capacity estimates, Canada operated at 70 percent of capacity in both years. Over 90 percent of Canadian output of frozen potato products in 1977 and 1978 was for consumption in Canada. McCain Foods, Ltd., which in 1978 held about half the Canadian capacity to produce frozen potato products, * * * (deletion of confidential information relating to the operations of McCain Foods, Ltd.)

3. U.S. consumption of frozen potato products nearly doubled during the past decade. During 1975–78 annual apparent consumption rose by nearly 900 million pounds to 3.9 billion pounds, an increase of 29 percent. In the first 6 months of 1979, such consumption was only slightly less than that in the first 6 months of 1978. U.S. per capita consumption of frozen potato products rose from 11.1 pounds in 1970 to 17.6 pounds in 1978, equivalent to an average annual rate of growth of 5.9 percent; between 1975 and 1978 per capita consumption rose at an annual rate of 8.1 percent.

4. According to a memorandum (dated December 31, 1979) from the Director, Office of Policy, Office of the Assistant Secretary of the Treasury for Trade Administration, to the General Counsel of the Treasury, the approximate aggregate net benefit accruing to the subject frozen potato products under the various Canadian programs was 2.41 percent ad valorem, f.o.b. value of plant shipments.

5. the report of the House Committee on Ways and Means on the Trade Agreements Act of 1979 states (at page 47) that "With regard to the standard for a threat of material injury, the Committee intends that the ITC affirmative determination shall be based upon evidence showing that the threat *is real and imminent and not upon mere supposition or conjecture.*" (italics added). Similarly, the report of the Senate Committee on Finance on the act states (pages 88 and 89) that "An ITC affirmative determination with respect to threat of material injury must be based upon information showing that the threat *is real and injury is imminent, not a mere supposition or conjecture.*" *(italics added).*

IV. Recommendation

In conclusion, on the basis of my review of the information developed during this investigation, I recommend that the Commission determine that there is no reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or that the establishment of an industry in the United States is materially retarded, by reason of the importation of grozen potato products from Canada upon which subsidies are allegedly provided by the Government of Canada.

By order of the Commission.

Issued: February 15, 1980.

Kenneth R. Mason,

Secretary.

[FR Doc. 80-5407 Filed 2-20-80; 8:45 am]

BILLING CODE 7020-02

[731-TA-8 (Preliminary), 731-TA-9 (Preliminary), 731-TA-10 (Preliminary), and 731-TA-11 (Preliminary)]

Sodium Hydroxide, in Solution (Liquid Caustic Soda), Provided for Under Item No. 421.08 of the Tariff Schedules of the United States From the Federal Republic of Germany, France, Italy, and the United Kingdom; Determinations of "No Reasonable Indication of Material Injury"

On the basis of the record developed during the course of investigations Nos. 731–TA–8 (Preliminary), 731–TA–9 (Preliminary), 731–TA–10 (Preliminary), and 731–TA–11 (Preliminary), undertaken by the United States International Trade Commission under section 733(a) of the Tariff Act of 1930, as added by title I of the Trade Agreements Act of 1979, the Commission has determined unanimously that there is no reasonable indication that an industry in the United States is materially injured, threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports from the Federal Republic of Germany, France, Italy, or the United Kingdom, of sodium hydroxide, in solution (liquid caustic soda), provided for under item No. 421.08 of the Tariff Schedules of the United States, which are allegedly sold at less than fair value.

Section 102(b)(1) of the Trade Agreements Act of 1979 requires the Commission to conduct preliminary antidumping investigations in cases where, on January 1, 1980, the Secretary of the Treasury (the Administering Authority prior to January 1, 1980), had begun an investigation, but had not yet made a preliminary determination under the Antidumping Act, 1921, as to the question of less-than-fair-value sales. On January 7, 1980, the Commission received advice from the Department of Commerce (the Administering Authority effective January 1, 1980), that such investigations had been instituted prior to January 1, 1980, with respect to sodium hydroxide imported from the Federal Republic of Germany, France, Italy, and the United Kingdom. Accordingly, effective January 1, 1980, the Commission instituted preliminary antidumping investigations under section 733(a) of the Tariff Act of 1930, as amended, to determine whether there is a reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of such merchandise from the four countries.

Notice of the institution of the Commission's investigations and of the conference to be held in connection therewith was published in the **Federal Register** of January 14, 1980 (45 F.R. 2715). On January 31, 1980, a public conference was held in Washington, D.C., and all persons requesting the opportunity were permitted to appear in person or by counsel.

Statement of Chairman Catherine Bedell and Commissioners George M. Moore and Michael J. Calhoun in Support of the Determinations in the Investigations Nos. 731–TA–8 (Preliminary), 731–TA–9 (Preliminary), 731–TA–10 (Preliminary), and 731–TA–11 (Preliminary): Sodium Hydroxide From the Federal Republic of Germany, France, Italy and the United Kingdom

On the basis of the best information available to the Commission in these investigations, Nos. 731–TA–8, 9, 10, and 11 (Preliminary), we determine that there is no reasonable indication that an industry in the United States is materially injured, threatened with material injury, or the establishment of an industry in the United States is materially retarded,[1] by reason of imports from the Federal Republic of Germany, France, Italy, or the United Kingdom, of sodium hydroxide, in solution (liquid caustic soda), provided for under item No. 421.08 of the Tariff Schedules of the United States, which are allegedly sold at less than fair value.

The following findings and conclusions, based on the record in this investigation, support our determination:

I. *No reasonable indication of material injury*—A. *Volume of imports.*

1. Levels of imports from these countries increased from 77,536 short tons in 1976 to 161,188 short tons in 1978, but levels for the interim period of January–October decreased from 132,921 short tons in 1978 to 79,587 short tons in 1979.

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[1] The question of the material retardation of the establishment of an industry in the United States was not raised as an issue in this investigation.

2. The ratio of imports from the four countries to U.S. consumption has remained at low levels, increasing from 0.85 percent in 1976 to 1.74 percent in 1978, then decreasing from 1.78 percent in January–October 1978 to 0.87 percent in January–October 1979.

B. *Effect of imports on U.S. prices.*

3. The alleged less than fair value (LTFV) margins indicated in Treasury's file were substantial. However, the best information available on pricing indicates that in the Northeast area of the United States, where imports are concentrated, the lowest prices for the bulk of sodium hydroxide sales made by suppliers to distributors are on those sales made by large U.S. producers that supply the area from their domestic production facilities. This situation, in which both imports and the smaller U.S. producers are substantially undersold in the Northeast area by their larger domestic competitors, indicates that any price suppression or price depression that may have occurred is not a result of alleged LTFV imports.

C. *Impact on affected industry.*

4. Petitioner Linden Chemicals and Plastics, Inc., represents only a minimal percentage of total domestic production of merchandise that is the subject of these investigations, and was not joined in its complaint by any other U.S. producers.

5. Total U.S. production of sodium hydroxide in solution increased from 10.0 million short tons in 1976 to 10.7 million short tons in 1978. Total U.S. production increased from 8.8 million short tons in January–October 1978 to 10.2 million short tons in January–October 1979.

6. Available data show that total shipments by reporting U.S. producers increased from 3.3 million short tons in 1976 to 4.9 million short tons in 1978. Total shipments by U.S. producers increased from 4.4 million short tons in January–November 1978 to 5.1 million short tons in January–November 1979.

7. Data obtained by questionnaires, although incomplete, indicate that the overall total for domestic sales of all grades of sodium hydroxide increased, in terms of quantity, from 1976 to 1978, and in the first 11 months of 1979 compared with the corresponding period in 1978.

8. From January–November 1978 to the corresponding period of 1979, the aggregate net profit of those firms providing complete financial data to the Commission increased substantially.

9. Domestic capacity utilization decreased from 1976 to 1977 but has increased since 1977 to 81.3% in 1979, a level higher than in any of the preceding years examined.

10. Consideration of material injury as to producers in the Northeast region as a separate regional industry is inappropriate in this case. (See the definition of "regional industries" in Sec. 771(4)(C) of the Tariff Act of 1930, as amended, 19 U.S.C. 1677 (4)(C).) Demand in that market is supplied to a substantial degree by producers located elsewhere in the U.S., primarily in the Gulf Coast States.

11. Notwithstanding its claim of injury from alleged LTFV imports, Linden Chemicals and Plastics, during the period under investigation, purchased three new production facilities for sodium hydroxide, one of which is located in the Northeast area which Linden asserts is subject to the greatest impact from the alleged LTFV imports.

An evaluation of these relevant factors reveals no reasonable indication of material injury to the affected industry.

II. *No reasonable indication of threat of material injury.*

12. In providing guidance to the Commission with regard to the standard for finding a threat of material injury, Congress has indicated the following: An affirmative determination shall be based on evidence showing that the threat is real and imminent. Consideration should be given to such trends as the rate of increase of dumped exports to the U.S. market, capacity in the exporting country to generate exports, and the availability of other export markets.[2]

13. Imports from the four countries involved in this investigation decreased in 1979, both absolutely and relative to U.S. consumption. (See paragraph 1, above.)

14. Recent trends, noted in paragraphs 5 through 9 above, are generally favorable to the domestic industry.

15. No evidence has been presented to the Commission regarding capacity in the exporting countries or availability of other export markets.

An evaluation of these relevant factors reveals no "real and imminent" threat of material injury to the affected industry.

Views of Vice Chairman Bill Alberger

Having considered the record in investigations Nos. 731–TA–8 (Preliminary) through 731–TA–11 (Preliminary), I determine that there is no reasonable indication that an industry in the United States is materially injured, threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports from the Federal Republic of Germany, France, Italy, or the United Kingdom, of sodium hydroxide in solution (liquid caustic soda), provided for under item number 421.08 of the Tariff Schedules of the United States which are allegedly sold at less than fair value.

I adopt in full findings 1 through 10 of the attached "Supporting Statement by the Director of Operations for a Negative Determination * * *" This statement is a part of the record [1] and accurately analyzes the factors which we are required by the statute to consider. In addition, I add the following findings which I believe are relevant to my determination:

(1) The import penetration levels for France, Italy, and the United Kingdom have each remained at less than 1 percent of U.S. consumption during the 1976–78 period. The ratio of imports from the Federal Republic of Germany increased during this same period, but in 1978 amounted to only slightly over 1 percent.[2] When these figures are compared with the continued increase in U.S. productive capacity of sodium hydroxide since 1976,[3] it is evident that there is no reasonable indication of injury to the domestic industry by reason of these imports.

(2) It is my practice to vote separately by country in Commission meetings since separate case numbers are assigned. It is an obligation of each Commissioner to carefully consider "material injury * * * by reason of * * *" questions for each country separately and in various combinations. It is my view after review of the entire record that these imports from these four countries are not causing the requisite degree of injury whether the countries are considered separately or in combination.

Supporting Statement by the Director of Operations for a Negative Determination in Sodium Hydroxide, in Solution (Liquid Caustic Soda), From the Federal Republic of Germany (No. 731–TA–8 (Preliminary)), France (No. 731–TA–9 (Preliminary)), Italy (No. 731–TA–10 (Preliminary)), and the United Kingdom (No. 731–TA–11 (Preliminary))

1. Notwithstanding the relatively high LTFV margins that were found for all four countries in Treasury's initial investigatory activities, the best information available on pricing

[2] See H.R. Rep. No. 96–317 on the Trade Agreements Act of 1979, at page 47. See also sec. 207.26(d) of the Commission Rules, 19 CFR 207.26(d).

[1] The statement was submitted to the Commission as Action Jacket No. OP1–80–013.

[2] Table 26 of the Report.

[3] Table 4 of the Report.

indicates that in the Northeast area of the United States, where imports are concentrated, by far the lowest priced suppliers to distributors of 50 percent solution sodium hydroxide are large U.S. producers that supply the region from their domestic production facilities. This situation, in which both imports and the smaller U.S. producers are undersold by large amounts by their larger domestic competitors in the Northeast region indicates that any price suppression or price depression that may have occurred has not occurred as a result of alleged LTFV imports.

2. The ratio of imports from the four countries to U.S. consumption remained at low levels, increasing from 0.85 percent in 1976 to 1.74 percent in 1978. The ratio dropped from 1.78 percent in January–October 1978 to 0.87 percent in January–October 1979.

3. Available data show that total shipments by reporting U.S. producers increased from 3.3 million short tons in 1976 to 4.9 million short tons in 1978. In addition, total shipments by U.S. producers increased from 4.4 million short tons in January–November 1978 to 5.1 million short tons in January–November 1979.

4. Total U.S. production of sodium hydroxide in solution increased from 10.0 million short tons in 1976 to 10.7 million short tons in 1978. Total U.S. production increased from 8.8 million short tons in January–October 1978 to 10.2 million short tons in January–October 1979.

5. From January–November 1978 to the corresponding period in 1979 the aggregate net profit of those firms providing complete financial data to the Commission increased substantially.

6. Available data show that the overall total for domestic sales of all grades of sodium hydroxide increased from 1976 to 1977.

7. Domestic capacity utilization decreased from 1976 to 1977 but increased since 1977 to a level in 1979 higher than that of any of the preceding years examined.

8. Although the complainant asserted that these investigations should be decided on a regional market basis, I have found that the Northeast area, where all the complainants' production facilities were, until recently, located, and where all of the complainants' sales as well as sales of alleged LTFV imports are concentrated, does not qualify for the definition of a regional market under the antidumping statutes because it is served to a large extent by U.S. producers whose production facilities are located outside the region, primarily in the Gulf Coast States.

9. The complainant, Linden Chemicals & Plastics, Inc., represents only a minimal percentage of total domestic production of merchandise that is the subject of these investigations, and was joined in its complaint by no other U.S. producers.

10. Notwithstanding its claim of injury from alleged LTFV imports, Linden Chemicals & Plastics, Inc., during the period under investigation, purchased three new production facilities for sodium hydroxide, one of which is located in the Northeast area that Linden asserts is subject to the greatest impact from the subject imports.

11. *Conclusion*—On the basis of the above, I recommend a negative determination as to whether there is a reasonable indication of injury with respect to sodium hydroxide in solution which is alleged to be sold at less than fair value from the countries concerned.

Views of Commissioner Stern in Support of the Negative Determinations in Investigations Nos. 731–TA– 8, 9, 10 and 11 (Preliminary): Sodium Hydroxide From Federal Republic of Germany, France, Italy and United Kingdom

On the basis of the record in these investigations, I determine that there is no reasonable indication (1) that an industry in the United States is either materially injured, threatened with material injury, or that the establishment of an industry in the United States is materially retarded,[1] and (2) that any injury is not by reason of the importation of sodium hydroxide from the Federal Republic of Germany, France, Italy, and the United Kingdom. Because the relevant statute is so new, I believe some general consideration of its provisions would be helpful before considering the details of these investigations.

In order for the Commission to find in the affirmative in a preliminary antidumping injury determination under Section 733 of the Tariff Act of 1930 (19 U.S.C. 1673(b)), it is necessary to find that sufficient information has been presented to show that there is a reasonable indication that (1) an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, and that (2) injury is by reason of imports of the merchandise which is the subject of the investigation allegedly sold or likely to be sold at less than fair value (LTFV).

[1] The question of material retardation of the establishment of an industry in the United States is not an issue in this investigation.

The Tariff Act of 1930 (Sec. 733(a)) directs the Commission to "make a determination based upon the best information available to it at the time of the determination * * *" The Act in Sec. 771(7)(B) mandates that the Commission shall consider (i) the volume of subject imports, (ii) their effect on the domestic price of the like product, and (iii) their impact on the domestic producers of the like product. In Sec. 771(7)(C), the Act further specifies a series of economic factors that the Commission must include in these considerations.[2] The statute states in Sec. 771(7)(E)(ii) that: "The presence or absence of any factor which the Commission is required to evaluate under paragraph (C) * * * shall not necessarily give decisive guidance with regard to the determination by the Commission of material injury."

No Material Injury to the Domestic Industry

(1) Total U.S. production of sodium hydroxide in solution increased from 10.0 million short tons in 1976 to 10.7 million short tons in 1978. Total U.S. production increased from 8.8 million short tons in January–October 1978 to 10.2 million short tons in January–October 1979.

(2) Available data show that total shipments by reporting U.S. producers increased from 3.3 million short tons in 1976 to 4.9 million short tons in 1978. In addition, total shipments by U.S. producers increased from 4.4 million short tons in January–November 1978 to 5.1 million short tons in January–November 1979.[3]

(3) Available data show that the overall total for domestic sales of all grades of sodium hydroxide increased from 1976 to 1978.

(4) From January–November 1978 to the corresponding period in 1979 the aggregate net profit of those firms providing complete financial data to the Commission increased substantially.[4]

(5) Although domestic capacity utilization decreased from 1976 to 1977,

[2] 19 U.S.C. 1677(7)(C)(iii) mentions output, sales, market share, profits, productivity, return on investment, capacity utilization, factors influencing domestic prices, cash flow, inventories, employment, wages, growth, ability to raise capital, and investment.

[3] No data were made available for 1976 or 1977 for Dow Chemical U.S.A., the largest domestic producer. I did not find the absence of complete data on Dow decisive because: (a) the data that were submitted by Dow do not indicate injury; (b) Dow neither supported the petition nor alleged injury; and (c) the data on the remainder of the industry do not support an affirmative finding.

[4] Because there has been no withholding of appraisement in this case following the submission of the petition, it seems appropriate to compare the 1979 data to those of earlier periods.

it has since 1977 grown to a level in 1979 higher than that of any of the preceding years examined.

(6) Notwithstanding the petitioner's claim of injury from alleged LTFV imports, Linden Chemicals and Plastics purchased during the period under investigation three new production facilities for sodium hydroxide, one of which is located in the Northeast area that Linden asserts is subject to the greatest impact from the alleged LTFV imports.

(7) No information is found in the record regarding the domestic industry's return on investment, cash flow, and ability to raise capital. The absence of information on these factors was not decisive in this case.

Alleged LTFV Imports Not the Cause of Any Material Injury

(8) Imports from West Germany, France, Italy and the United Kingdom grew from 77,537 short tons in 1978 to 161,188 in 1978. However, in the first ten months of 1979 they declined to 79,587 short tons from the 132,921 short tons imported during the comparable period in 1978.

(9) Notwithstanding the relatively high LTFV margins for all four countries indicated by Treasury's initial investigatory activities, the best information available on pricing indicates that in the Northeast area of the United States, where imports are concentrated, large U.S. producers supplying the region from their domestic facilities are by far the lowest priced suppliers to distributors of 50 percent solution sodium hydroxide. Because both importers and the smaller U.S. producers have been significantly undersold by their larger domestic competitors in the Northeast area, any price suppression or depression that may have occurred has not been due to alleged LTFV imports.

(10) The ratio of imports from the four countries to U.S. consumption remained at low levels, increasing from 0.85 percent in 1976 to 1.74 percent in 1978. The ratio dropped from 1.78 percent in January–October 1978 to 0.87 percent in January–October 1979.

No Regional Industry

(11) The petitioner asserted that these investigations should be decided on a regional industry basis. The Trade Agreements Act of 1979 amended the Tariff Act of 1930 to include specific conditions for the treatment of producers in a geographical area as a separate regional industry within the meaning of the law.[5] The domestic producers must sell all or almost all of their production in the area and the demand for the product in that area cannot be supplied to any significant degree from the United States producers not located there. Both conditions must be met.

(12) The Northeast area, where all the petitioner's production facilities were located until recently, and where all the petitioner's sales as well as the sales of the alleged LTFV imports are concentrated, does not qualify as a regional market within the meaning of the antidumping statute because it is served to a large extent by U.S. producers whose production facilities are located outside the region, primarily in the Gulf Coast States. In 1976, total reported domestic sales in the Northeast area exceeded local productive capacity by 299,000 short tons, in 1977 by 46,000 short tons, and in 1978 by 96,000 short tons. In 1979, due to rapid local expansion, capacity may for the first time exceed domestic sales in the area.

No Threat of Material Injury

(13) The recent decline in subject imports' market penetration and the expansion undertaken by the petitioner, as well as the other factors cited above, do not give any reasonable indication that the alleged LTFV imports threaten the domestic industry with material injury.

By order of the Commission.

Issued: February 14, 1980.

Kenneth R. Mason,

Secretary.

[FR Doc. 80-5410 Filed 2-20-80; 8:45 am]

BILLING CODE 7020-02-M

[5] Subparagraph (C) of 19 U.S.C. 1677 states: "In appropriate circumstances, the United States, for a particular product market, may be divided into 2 or more markets and the producers within each market may be treated as if they were a separate industry if—(i) the producers within such market sell all or almost all of their production of the like product in question in that market, and (ii) the demand in that market is not supplied, to any substantial degree, by producers of the product in question located elsewhere in the United States."

[Investigations Nos. 701-TA-4 (Final) and 701-TA-5 (Final)]

Taps, Cocks, Valves and Similar Devices, and Parts Thereof From Italy and Japan; Termination of Investigations and Cancellation of Hearing

AGENCY: U.S. International Trade Commission.

ACTION: Termination of the two captioned investigations under section 704 of the Tariff Act of 1930.

EFFECTIVE DATE: February 12, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. John MacHatton, Office of Investigations, telephone number (202) 523-0439.

SUPPLEMENTARY INFORMATION: By notice issued January 10, 1980, and published in the **Federal Register** (45 FR 3400 (January 17, 1980)), the Commission instituted the subject investigations to determine whether with respect to the articles involved an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of the subsidized imported merchandise. A public hearing was scheduled, on a tentative basis, to be held at the International Trade Commission Building, on April 2, 1980.

On February 4, 1980, the Commission received a letter from counsel for the original petitioner for the countervailing duty investigations. The text of that letter is reproduced below.

Mrs. Catherine Bedell,

Chairman, U.S. International Trade Commission,

Room 208, 701 E Street, N.W.,

Washington, D.C.

January 31, 1980.

Dear Madam Chairman: I am writing to inform you on behalf of the Valve Manufacturers Association that the Valve Manufacturers, petitioners in a countervailing duty case against Japan and Italy, wish to withdraw their petition. I request, as a result, that the International Trade Commission accept this withdrawal and notify all companies who have received questionnaires of the withdrawal. Thank you.

Sincerely,

David A. Hartquist,

Counsel, Valve Manufacturers Association.

The legal authority for a request to withdraw a petition for a countervailing duty investigation and the legal authority for the Commission to terminate an investigation in response to a request to withdraw the petition are found in section 704 of the Tariff Act of 1930. The only restriction on the Commission's authority to terminate is that all parties to the investigation must be notified of the termination. In the instant case only the petitioners have appeared as parties before the Commission. For these reasons the Commission is granting the request and terminating these investigations. In addition to notifying interested persons who have not appeared before the agency, the Commission is notifying the Department of Commerce of its action in these cases.

By order of the Commission.

Issued: February 13, 1980.

Kenneth R. Mason,

Secretary.

[FR Doc. 80-5415 Filed 2-20-80; 8:45 am]

BILLING CODE 7020-02-M

DEPARTMENT OF JUSTICE

Antitrust Division

Comment and Response To Proposed Final Judgment in United States v. Chelsea Industries, Inc., et al.

The Antitrust Division has reviewed a comment concerning its proposed Final Judgment in *United States v. Chelsea Industries, Inc., et al.*, Civil Action No. 78-3224-C. The proposed Final Judgment and a Competitive Impact Statement were filed with the United States District Court for the District of Massachusetts on November 30, 1979.

The comment and the Antitrust Division's response are attached hereto for publication pursuant to the Antitrust Procedures and Penalties Act of 1974, 15 U.S.C. 16(d). These materials have also been filed with the United States District Court for the District of Massachusetts.

Joseph H. Widmar,

Director of Operations.

Myers and Brown

Concord, N.H., January 24, 1980.

Re United States of America v. Chelsea Industries Inc. and Avon Tape Inc. Civil Action No. 78-3224-C

Mr. Anthony V. Nanni,

Department of Justice, Antitrust Division, Washington, D.C. 20530.

Dear Mr. Nanni: Please be advised that I represent Action Manufacturing, Inc., of Gonic, New Hampshire, a small manufacturer of pressure sensitive tape for the shoe industry.

Pursuant to 15 USC § 16(d), this letter is to serve as a commentary on the Proposed Final Judgment entered into by the plaintiff, United States of America; and the defendants, Chelsea Industries, Inc., and Avon Tape, Inc. in connection with Civil Action No. 78-3224-C.

The Proposed Final Order and the Competitive Impact Statement both serve to prohibit certain conduct, while at the same time requiring affirmative conduct from the defendants in lieu of a full trial on the above action. While the desired result of the Final Order and Competitive Statement is to restore competition to the shoe tape industry, neither reach far enough vis-a-vis their limits on the defendants to effect this desired result.

Specifically, the Proposed Final Judgment (III, Page 2) fails to take into account the import of limiting the defendants' ability to fix, maintain, and stabilize the price of pressure sensitive tape sold in foreign markets. Virtually all of the tapes sold abroad by the defendants is manufactured in the United States. To the extent that defendants are not prohibited from setting prices on these products, they remain free to subsidize their domestic sales with exorbitant prices abroad. Moreover, given the overwhelming market shares of the defendants in the United States, any small company such as Action would naturally try to become a viable domestic competitor by building up its financial strength through foreign sales. Once that financial strength was sufficient, Action or others in its situation would be in a much better position to compete in the domestic market. The omission of limitations or international activities should be of particular concern in light of the dominant competitive influence that international shoe sales have on the U.S. domestic market. American shoe manufacturers and retailers import 53 percent of the shoes sold in the U.S. market. Because 60 percent of our client's sales volume is currently outside of the domestic market, the effect of not including international sales in the Final Order is to allow the defendants to operate directly at the expense of our client's international sales and indirectly at the expense of the domestic consumer who is no doubt paying the price of any price fixing activities concerning the international market.

Section 1 of the Sherman Antitrust Act was designed and has been interpreted to prohibit those activities which have the purpose *or* effect of stabilizing price or competition. *US. v. Gypsum* 438 US 422, 98 Sct 2864 (1978). The notion that external business activities in violation of U.S. antitrust laws may affect internal trade and commerce so as to confer jurisdiction upon U.S. courts to enjoin such activity was recognized as early as 1927 in *U.S. v. Sisal Sales Corp.* 274 U.S. 268, 71 L.Ed. 1042, 47 Sct. 592.

Clearly the Final Judgment as proposed would not amerliorate the restraint on competition in the shoe tape industry if the defendants were allowed to continue to engage in activities which would affect over one half of the entire U.S. market. Such a result certainly would not be in the public interest as required under 15 USC § 16. Therefore, it is recommended that the Proposed Final Judgment be modified at (III, Page 2) to include international sales. Accordingly, it is recommended that (VII c 2, Page 4) of the same be modified to "Adopt and publish domestic *and international* prices, discounts."; that (III, Page 5) of the Competitive Impact Statement be modified to include "In addition . . . lawful considerations to adopt publish domestic and *international* prices, discounts, etc. . . ."

It is also our belief that the Proposed Final Judgment and Competitive Impact Statement could be modified to more effectively restore competition to the shoe tape industry by requiring additional affirmative conduct on the part of the defendants.

Specifically, the requirement at (VII a, Page 4) of the Proposed Final Judgment should be expanded to provide that: Defendant shall provide a copy of this final judgment to each of its existing customers and *to any new customers* within 30 days after the judgment is entered and annually on the anniversary of this judgment for the next five (5) consecutive years. Notice shall be by registered mail to the Chief Executive Officer of each customer. Mail receipts shall be retained by each defendant in its corporate files. Similarly, the Competitive Impact Statement at (III, Page 5) should be modified to require each defendant to provide a copy of the Final Judgment and a copy of the Competitive Impact Statement to each of its existing customers and subsequent new customers . . . "at least once each year for five (5) years after the entering of the Final Judgment." It is also proposed that the Competitive Impact Statement be modified under the Section entitled "Remedies Available to Private Litigants" (IV, Page 7, paragraph 1; Sentence 3) to provide that these potential private plaintiffs may encourage the Attorney Generals of their respective states to sue, etc. . . . in their names. Finally, the Competitive Impact Statement should be modified in the section on "Procedure Available for Modification of Proposed Final Judgment" to require that notice of the opportunity to comment on the proposed Final Judgment be advertised in shoe trade journals in the U.S. *and* abroad.

The implementation of the proposed modifications will aid in deterring the defendant from engaging in any further anticompetitive activities by giving notice to past customers who may, in the context of a competitive market wish to take their business elsewhere. In addition, prospective customers under the proposed modifications would be able to make an informal decision as to whom they should patronize.

It is too great a threat that the defendants will simply absorb the fines levied; which in Chelsea's case amounts to less than 20,000 per year and which may be treated as an acceptable business expense. The proposal to require that notice be given to present and prospective customers will provide a self executing oversight mechanism. At the same time it would allow customers to make a more informed business decision thereby facilitating the return of competitive equilibrium to a market which is totally dominated by the defendants.

To summarize, the Proposed Final Judgment and Competitive Impact Statement recognize the desired result. However, by failing to specifically prohibit illegal pricing activity in foreign markets, the door has been left open for the defendants to exert monopoly pressure on the U.S. shoe tape market. By including the additional requirements regarding notice to customers of the defendants propensity toward illegal pricing activity, the Final Order may indeed restore competition to the shoe tape industry. In its present form, however, the Proposed Final Judgment will not accomplish this purpose and is therefore not in the public interest as required under 15 USC § 16.

Respectfully submitted, Action Manufacturing, Inc., by its attorneys, Myers and Brown.

Howard B. Myers.

U.S. Department of Justice,

Washington, D.C., February 7, 1980.

Re United States v. Chelsea Industries, Inc., et al., Civil No. 78-3224-C (D. Massachusetts).

Howard B. Myers, Esquire,

Myers and Brown, Four Park Street, Concord, N.H.

Dear Mr. Myers: This letter will respond to the comments you have filed on behalf of Action Manufacturing, Inc., of Gonic, New Hampshire with regard to the proposed Final Judgment and Competitive Impact Statement in the above-captioned case.

Your letter essentially addresses two points: first, that the defendants in this case

excessively price and fix the prices of pressure sensitive tape products sold in foreign markets which influences the domestic market for such products; and secondly, that the notification provisions of the proposed Final Judgment are insufficient to restore competition to the domestic shoe tape industry.

Your first comment with regard to the defendants' foreign activities alleges that the defendants charge excessive prices and fix the prices of pressure sensitive tape products which they manufacture in the United States and sell abroad. You imply that because American manufacturers and retailers import more than fifty percent of the shoes sold in the United States, this results in higher domestic prices for shoes sold in this country and further entrenches the defendants' substantial domestic market position. These factors allegedly affect your client adversely.

In the first instance, it is important to recognize that both the criminal and civil cased filed against these defendants were virtually identical insofar as the substantive offense alleged. They were charged with fixing the prices of pressure sensitive tape products sold to the shoe industry throughout the United States. Both cases were strictly limited to the domestic market for two reasons. First, there were no substantiated allegations that the defendants' price-fixing activity extended beyond the United States. The second reason was that even if such illegal pricing activity did occur in foreign markets, jurisdiction in the United States seemed highly doubtful. The reasons for this are partly revealed by the limited scope of your comment. While your comment asserts that excessive pricing and price fixing by the defendants does occur in foreign markets, your letter does not provide any specific proof to substantiate your client's allegations. No evidence or detailed information of any kind has ever been presented to the Antitrust Division that would support these contentions. Moreover, assuming *arguendo* that the excessive pricing referred to does exist, no evidence has been presented that would indicate that this has resulted from collusion. In addition, if price fixing is occurring in foreign markets, there is no evidence to indicate that a conspiracy was formed in the United States or that the products affected ended up in the United States. Despite your reference to the fact that American manufacturers and retailers import more than fifty percent of all shoes sold in the United States, no information has been provided that would facilitate a determination of whether shoes which are imported into this country contain price-fixed materials sold by these defendants.

You also assert that the defendants have substantial market shares in the United States and that they are exercising monopoly pressure on your client in the United States by subsidizing domestic sales with profits from foreign sales. Once again, no evidence has been presented to substatiate this assertion. Assuming, however, that is true, if your client feels that it has been aggrieved by this action, you are free to seek redress by filing a monopolization case against the defendants in an appropriate jurisdiction, which I understand you have done. *Action Manuafacturing, Inc. v. Chelsea Industries, Inc.*, Civil Action No. 78-36 (D. New Hampshire). Under these circumstances, it would appear that your client's rights will be adequately protected and that it will be given more than ample opportunity to air its complaints.

Based on the foregoing considerations, and in view of the allegations of the Complaint, it is clear that the modifications you have suggested would exceed the scope of the Complaint, the present jurisdiction of the Court, and would be legally inappropriate in the present circumstances.

Your second comment suggests that the notification provisions of the proposed Final Judgment and Competitive Impact Statement be modified to require the defendants to notify each of its existing customers and any new customers of the Final Judgment; that potential private plaintiffs may encourage state Attorneys General to sue on their behalf; and that the Final Judgment be published in shoe trade journals in the United States and abroad. These modifications will, allegedly, more fully restore competition to the domestic shoe tape industry.

As I am sure you can appreciate, the formulation of effective affirmative relief is a matter which depends on the facts and circumstances of each case. The overriding objective in every case is to restore competition to the industry in a manner which seems most likely to effectively counterbalance the specific type of offense that has been committed. In this case, where published prices were fixed by agreement between the defendants, our primary concern has been to find a way to assure that it does not occur again.

The most direct and effective method of correcting the price fixing that occurred in this case was the one outlined in Section VII, Paragraphs C., D. and E. of the proposed Final Judgment. These provisions require each defendant to withdraw its present prices, discounts and other terms and conditions of sale for pressure senstitive tape products sold in the United States, and to reformulate and republish new prices on the basis of and after an independent review of their costs, margins and other lawful considerations. This republication and all subsequent price changes for the next five years must be certified under oath; each company must file affidavits stating that price changes have been made only after an independent review by each company, in other words, not in collusion with each other or any other manufacturer. This is unquestionably the most direct way of reaching the heart of the problem. While your suggestion about notifying existing and new customers of the Final Judgment was carefully considered, we felt at the time that these provisions were drafted, and continue to believe, that they represent the most effective way of correcting the problem that was found in this particular case.

With regard to your suggestion that the Competitive Impact Statement be amended to provide that potential private plaintiffs can encourage state Attorneys General to sue the defendants on their behalf, we would remind you that potential plaintiffs are always free to do so, and state Attorneys General are free to pursue appropriate legal action under Section 4C of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, 15 U.S.C. § 15c, and their own state laws. We would also point out that neither the proposed Final Judgment nor the Competitive Impact Statement imposes any restriction, except as provided by law, on anyone who may be interested in redressing any grievance against these defendants arising from their illegal conduct.

Your final comment suggests that the Competitive Impact Statement should be modified to require advertising in shoe trade journals in the United States and abroad in soliciting comments about the proposed Final Judgment. It is our view that your request to enlarge the geographic scope from which comments on the proposed Final Judgment may be sought to include publication abroad, exceeds the express statutory language of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(c), and is not appropriate in this case since the offense charged occurred within the United States.

With regard to your suggestion that comments about the judgment be advertised in domestic shoe trade journals, we would bring to your attention the fact that these cases have already received considerable publicity.[1] In addition, the Antitrust Division has fully met its legal responsibility with regard to the solicitation of comments concerning the proposed Final Judgment in the case in compliance with the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(c).[2] In light of these facts, more than ample opportunity has been provided to anyone who wished to comment about these cases and the proceedings related thereto.

We appreciate your comments and suggestions about the proposed Final Judgment and Competitive Impact Statement in this case. However, we are satisfied that an objective analysis of the facts and circumstances would clearly establish that the proposed Final Judgment does contain effective remedial relief to correct the effects of the offense committed by these defendants and is in the public interest. For this reason, the Antitrust Division will urge the Court to enter the proposed Final Judgment as originally submitted.

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[1] Listed below are the dates of articles published in the newspapers indicated about the case(s) concerning these defendants. We have also been advised that the disposition of the criminal case was reported in other major newspapers of general circulation, *e.g., New York Times*. It should be noted that the *Footwear News* is the principal newspaper of the domestic shoe industry.

May 9, 1978—Wall Street Journal
Dec. 15, 1978—Wall Street Journal
Dec. 15, 1978—Boston Globe
Jan. 1, 1979—Footwear News
Feb. 2, 1979—Boston Globe
Feb. 2, 1979—Boston Herald American
Feb. 6, 1979—Wall Street Journal
Feb. 12, 1979—Footwear News

[2] Information concerning the proposed Final Judgment and Competitive Impact Statement in this case was published in the following newspapers of general circulation on the dates indicated:

Dec. 12-18, 1979—Washington Star
Dec. 13-19, 1979—Boston Globe

Very truly yours,

Robert E. Bloch,

Attorney, Antitrust Division.

[FR Doc. 80-5320 Filed 2-20-80; 8:45 am]

BILLING CODE 4410-01-M

United States v. South Carolina Health Care Association, Inc.; Proposed Final Judgment and Competitive Impact Statement

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. Section 16(b) through (h), that a proposed Final Judgment, Stipulation and Competitive Impact Statement (CIS) have been filed with the United States District Court for the District of South Carolina in *United States of America v. South Carolina Health Care Association, Inc.*, Civil No. 79-1742-9. The complaint in this case alleged that the defendant engaged in a combination and conspiracy with others to raise the price of nursing home services in South Carolina paid under the Medicaid program.

The proposed Final Judgment enjoins the defendant from acting as an agent on behalf of its members in connection with any decision to accept or reject Medicaid provider contracts, or any part thereof. The defendant is also prohibited from participating in or furthering any agreement, understanding, plan or course of conduct having the purpose or foreseeable effect that nursing homes jointly determine to (1) accept or reject any or all of the terms of Medicaid provider contracts; (2) reject or discharge Medicaid patients; or (3) threaten not to participate in the Medicaid program. The defendant is further prohibited from advocating, recommending or inducing nursing homes to engage in any of the above mentioned activities. Finally, the defendant is prohibited from allowing at its meetings any course of conduct, or discussion of any plan, with the purpose or foreseeable effect that nursing homes, or any nursing home, accepts or rejects any terms of a Medicaid contract, rejects or discharges Medicaid patients, or threatens not to participate in the Medicaid program.

Except as otherwise prohibited by the proposed Final Judgment, the defendant may represent nursing homes, or any nursing home, in any *bona fide* judicial or administrative law proceeding; may represent nursing homes by advocating or discussing changes in the Medicaid program before any federal or state governmental body; and may disseminate factual information about the Medicaid program to nursing homes.

The proposed Final Judgment requires that the defendant furnish a copy of the judgment to each of its members, as well as to new members as they join, together with a letter explaining its terms. Also, the defendant is required to furnish to the Court and the plaintiff an affidavit as to the fact and manner of its notification of its members and future members.

The proposed Final Judgment requires that thirteen months after entry of the judgment and every two years thereafter, the defendant audit its operations to determine compliance with the judgment and with the antitrust laws. Its findings must be filed with the Court and the plaintiff.

The proposed Final Judgment requires that the defendant adopt a written statement setting forth its policy regarding compliance with the antitrust laws and the judgment. The written compliance policy must be published in defendant's newsletter at least once a year for three consecutive years. The proposed Final Judgment expires ten years after entry.

Public comment is invited within the statutory 60-day comment period. Such comments, and responses thereto, will be published in the **Federal Register** and filed with the Court. Comments should be directed to John W. Poole, Jr., Chief, Special Litigation Section, Room 7218, Antitrust Division, Department of Justice, Washington, D.C. 20530, (telephone: (202) 633-2425).

Joseph H. Widmar,

Director of Operations.

U.S. District Court District of South Carolina, Columbia Division

United States of America, Plaintiff, v. *South Carolina Health Care Association, Inc.*, Defendant.

Civil Action No. 79-1742-9.

Filed: February 7, 1980.

Entered:

Stipulation

It is stipulated by and between the undersigned parties, by their respective attorneys, that:

1. The parties consent that a Final Judgment form hereto attached may be filed and entered by the Court, upon the motion of any party or upon the Court's own motion, at any time after compliance with the requirements of the Antitrust Procedures and Panalties Act (15 U.S.C. 16), and without further notice to any party or other proceedings, provided that plaintiff has not withdrawn its consent, which it may do at any time before the entry of the proposed Final Judgment by serving notice thereof on defendant and by filing that notice with the Court.

2. In the event plaintiff withdraws its consent, or if the proposed Final Judgment is not entered pursuant to this Stipulation, this Stipulation shall be of no effect whatever and the making of this Stipulation shall be without prejudice to any party in this or any other proceeding.

Dated: February 7, 1980.

For the Plaintiff: John H. Shenefield, Assistant Attorney General; Mark Leddy, Charles F.B. McAleer, John W. Poole,Jr., Charles S. Stark, *Attorneys, Department of Justice;*

For the Defendant: Thomas C. Fox, William O. Bittman, Pierson, Ball & Dowd 1000 Ring Building 1200 18th Street, NW. Washington, D.C. 20036. W. Stephen Cannon, John J. Miles, *Attorneys, Department of Justice 10th & Pa. Avenue, N.W. Washington, D.C. 20530*

U.S. District Court, District of South Carolina, Columbia Division

United States of America, Plaintiff, v. South Carolina Health Care Association, Inc., Defendant.

Civil Action No. 79-1742-9.

Filed: February 7, 1980.

Final Judgment

Plaintiff, United States of America, having filed its complaint herein on August 27, 1979, and plaintiff and defendant, by their respective attorneys, having consented to the entry of this Final Judgment without trial or adjudication of any issue of fact or law herein and without this Final Judgment constituting any evidence against or an admission by any party with respect to any such issue;

Now, therefore, before the taking of any testimony and without trial or adjudication of any issue of fact or law herein and upon consent of the parties hereto, it is hereby,

Ordered, adjudged, and decreed as follows:

I

This Court has jurisdiction of the subject matter of this action and of each of the parties consenting hereto. The Complaint states a claim upon which relief may be granted against the defendant under Section 1 of the Sherman Act (15 U.S.C. 1).

II

As used in this Final Judgment:

(A) "Defendant" means the South Carolina Health Care Association, Inc.;

(B) "Medicaid" means the system of health care for indigents created by Title XIX of the Social Security Act, entitled "Grants to States for Medical Assistance Programs," and includes regulations promulgated thereunder by the United States Department of Health, Education, and Welfare (HEW), and regulations, policies and procedures of South Carolina to implement the program;

(C) "Standard provider contracts" means contracts between the States of South Carolina and nursing homes by which nursing homes agree to provide care for Medicaid beneficiaries;

(D) "Nursing home" means a provider of skilled nursing and/or intermediate care services in the State of South Carolina.

III

This Final Judgment applies to the defendant and to its officers, directors, members, agents, employees, successors and assigns, and to all other persons in active concert or participation with any of them

who shall have received actual notice of this Final Judgment.

IV

The defendant is enjoined from:

(A) Acting as an agent for nursing homes in connection with any decision to accept or reject all of any terms of Medicaid standard provider contracts;

(B) Participating in or furthering any agreement, understanding, plan or course of conduct having the purpose or foreseeable effect that nursing homes jointly determine to (1) accept or reject all or any terms of Medicaid standard provider contracts; (2) reject or discharge Medicaid patients; or (3) threaten not to participate in the Medicaid program;

(C) Advocating or recommending that nursing home(s) (1) accept or reject all or any terms of Medicaid standard provider contracts; (2) reject or discharge Medicaid patients; or (3) threaten not to participate in the Medicaid program; and

(D) Causing or permitting at any formal or informal meeting of defendant or its committees any course of conduct, or discussion of any plan, having the purpose or foreseeable effect that nursing home(s) (1) accept or reject all or any terms of Medicaid standard provider contracts; (2) reject or discharge Medicaid patients; or (3) threaten not to participate in the medicaid program.

V

Except as prohibited in Section IV, nothing herein shall prohibit defendant from:

(A) Representing nursing home(s) in any *bona fide* judicial or administrative law proceeding; or

(B) Advocating or discussing, on behalf of nursing home(s), proposed changes in the Medicaid program with any federal or state legislative body or executive agency, or any committee or member thereof; or

(C) Disseminating factual information about the Medicaid program to nursing homes.

VI

The defendant is ordered and directed:

(A) Within sixty (60) days from the entry of this Final Judgment.

(1) To send to each of its members

(a) A copy of this Final Judgment; and

(b) A letter identical in text to that attached to this Final Judgment as Appendix A;

(2) To cause the publication of this Final Judgment in the defendant's newsletter; and

(3) To file with this Court and to serve upon the plaintiff an affidavit stating the fact and manner of compliance with subsection (A) of this Section VI;

(B) To serve a copy of this Final Judgment, together with a letter identical in text to that attached to this Final Judgment as Appendix A, upon all of its future members at such time as they become members;

(C) To conduct an audit of its activities, during the thirteenth month following entry of this Final Judgment, and once during every twenty-four month period thereafter while this Final Judgment remains in effect, to determine compliance with this Final Judgment and with the antitrust laws. The audit shall be conducted or supervised by an attorney and shall include a review of defendant's files and those of its directors maintained in connection with their responsibilities as such, and interviews of defendant's officers, directors, and employees as deemed necessary by the attorney. A written report of each audit shall be promptly prepared, furnished to plaintiff and filed with the court; and

(D) To establish and adopt a written statement setting forth defendant's policy regarding compliance with the antitrust laws and this Final Judgment. The written compliance policy shall be published in defendant's newsletter at least once a year for three consecutive years.

VII

For the purpose of determining or securing compliance with this Final Judgment, and subject to any legally recognized privilege, from time to time:

(A) Duly authorized representatives of the Department of Justice shall, upon written request of the Attorney General or of the Assistant Attorney General in charge of the Antitrust Division, and on reasonable notice to the defendant made to its principal office, be permitted:

(1) Access during office hours of the defendant to inspect and copy all books, ledgers, accounts, correspondence, memoranda and other records and documents in the possession or under the control of the defendant which may have counsel present, relating to any matters contained in this Final Judgment; and

(2) Subject to the reasonable convenience of such defendant and without restraint or interference from it, to interview officers, employees and agents of the defendant who may have counsel present, regarding any such matters;

(B) Upon the written request of the Attorney General or of the Assistant Attorney General in charge of the Antitrust Division made to the defendant's principal office, such defendant shall submit such written reports, under oath if requested, with respect to any of the matters contained in this Final Judgment as may be requested;

(C) No information or documents obtained by the means provided in this Section VII shall be divulged by any representative of the Department of Justice to any person other than a duly authorized representative of the Executive Branch of the United States, except in the course of legal proceedings to which the United States is a party, or for the purpose of securing compliance with this Final Judgment or as otherwise required by law; and

(D) If, at the time information or documents are furnished by the defendant to plaintiff, such defendant represents and identifies in writing the material in any such information or documents to which a claim of protection may be asserted under Rule 26(c)(7) of the Federal Rules of Civil Procedure, and said defendant marks each pertinent page of such material "Subject to claim of protection under Rule 26(c)(7) of the Federal Rules of Civil Procedure," then 10 days notice shall be given by plaintiff to the defendant prior to divulging such material in any legal proceeding (other than a grand jury proceeding) to which the defendant is not a party.

IX

Jurisdiction is retained by this Court for the purpose of enabling any of the parties to this Final Judgment to apply to this Court at any time for such further orders or directions as may be necessary or appropriate for the construction or carrying out of this Final Judgment, for the modification of any of the provisions hereof, for the enforcement of compliance herewith, and for the punishment of any violation hereof.

X

This Final Judgment will expire ten years after date of entry.

XI

Entry of this Final Judgment is in the public interest.

Dated:

United States District Court.

Appendix A

RE: *United States* v. *South Carolina Health Care Association, Inc.*, Civil No. 79–1742–9

Dear SCHCA Member: Enclosed is a copy of the Final Judgment, filed —— 1979, in *United States* v. *South Carolina Health Care Association, Inc.*, Civil No. 79–1742–9. The terms of the Final Judgment require that a copy of it as well as this letter be sent to you. You should read the terms of the decree carefully and note that you, under certain circumstances, are bound by the provisions. The purpose of this letter is to help you understand those provisions.

Under the decree the Association is barred from participating in any plan or agreement which would result in nursing homes jointly threatening not to participate in the Medicaid program, as well as jointly determining to accept or reject all or part of the standard provider contracts, or to discharge Medicaid patients. The Final Judgment also prohibits the Association from causing or allowing nursing home representatives to discuss any of the above-mentioned actions at any formal or informal Association meetings, including committee meetings.

Finally, the Final Judgment prohibits the Association from acting as an agent on behalf of its members in connection with any decision to accept or reject Medicaid standard provider contracts.

U.S. District Court, District of South Carolina, Columbia Division

United States of America, Plaintiff, v. South Carolina Health Care Association, Inc., Defendant.

Civil Action No. 79–742–9.

Filed: February 7, 1980.

Competitive Impact Statement

Pursuant to Section 2(b) of the Antitrust Procedures and Penalties Act (15 U.S.C. 16(b)–(h)), the United States of America submits this Competitive Impact Statement relating to the proposed final judgment submitted for entry in this civil antitrust proceeding.

I

Nature of the Proceeding

On August 27, 1979, the Department of Justice filed a civil antitrust complaint under Section 4 of the Sherman Act (15 U.S.C. 4), alleging that the defendant violated Section 1 of the Sherman Act (15 U.S.C. 1). The complaint alleges a combination and conspiracy consisting of a continuing agreement, understanding, and concert of action among the defendant and various co-conspirators to raise the price of nursing home services in South Carolina paid under the Medicaid program.

Entry of the proposed final judgment will terminate the action, except that the Court will retain jurisdiction over the matter for further proceedings which may be required to interpret, modify or enforce the judgment, or to punish violations of any of its provisions.

II

Description of the Practices Involved in the Alleged Violation

The defendant is a trade association for the nursing home industry in South Carolina. Approximately 85 nursing homes throughout the state, representing over 80 per cent of all nursing home beds in South Carolina, are "institutional" members of the defendant. In addition, numerous individuals associated with nursing homes are "personal" members.

The complaint alleges that the defendant and co-conspirators engaged in a conspiracy, from sometime in 1973 to the present, to raise the price of nursing home services paid under the Medicaid program in South Carolina. The complaint further alleges that to raise the price of Medicaid nursing home services, the defendant acted as the bargaining agent of its member nursing homes to negotiate and approve or disapprove Medicaid reimbursement contracts with the state on their behalf. The complaint also alleges that the defendant's member nursing homes jointly refused to enter into contracts with the state to care for Medicaid patients except upon terms and conditions that had been agreed upon by the defendant and its members. The market area alleged to have been affected by the conspiracy is the State of South Carolina.

The complaint alleges that the conspiracy has had the following effects, among others: (a) Competition among nursing homes with respect to the terms and conditions on which they will contract to care for Medicaid patients has been eliminated, and (b) prices charged by nursing homes for the care of Medicaid patients have been increased.

Had this case gone to trial, the United States would have adduced evidence to show that, beginning sometime in 1973, the defendant and co-conspirators began to use the defendant as the bargaining agent for nursing homes in negotiating Medicaid contracts with the State of South Carolina. The United States believes the evidence would have shown that, since 1973, the defendant has acted on behalf of its members in accepting or rejecting all or part of various Medicaid provider contracts, and used the joint bargaining strength of its member nursing homes to obtain more favorable contract terms and conditions than otherwise would have been possible; the conspiracy was effectuated in numerous meetings of the defendant's membership, meetings of various committees formed by the defendant for the purpose of negotiating Medicaid contracts with the State, and in meetings between representatives of the defendant and representatives of the State.

III

Explanation of the Proposed Final Judgment

The United States and the defendant have stipulated that the Court may enter the proposed final judgment after compliance with the Antitrust Procedures and Penalties Act. The stipulation provides that neither party has made any admission about any issue of fact or law. Under the provisions of Section 2(e) of the Antitrust Procedures and Penalties Act, the proposed final judgment may not be entered until the Court determines that entry is in the public interest.

A. Prohibited Conduct

The proposed final judgment prohibits the defendant from acting as an agent on behalf of its members in connection with any decision to accept or reject Medicaid provider contracts, or any part thereof. The defendant is also prohibited from participating in or furthering any agreement, understanding, plan or course of conduct having the purpose or foreseeable effect that nursing homes jointly determine to (1) accept or reject any or all of the terms of Medicaid provider contracts; (2) reject or discharge Medicaid patients; or (3) threaten not to participate in the Medicaid program. The defendant is further prohibited from advocating, recommending or inducing nursing homes to engage in any of the above mentioned activities. Finally, the defendant is prohibited from allowing at its meetings any course of conduct, or discussion of any plan, with the purpose or foreseeable effect that nursing homes, or any nursing home, accepts or rejects any terms of the Medicaid contract, rejects or discharges Medicaid patients, or threatens not to participate in the Medicaid program.

Except as otherwise prohibited by the proposed final judgment, the defendant may represent nursing homes, or any nursing home, in any *bona fide* judicial or administrative law proceeding; may represent nursing homes by advocating or discussing changes in the Medicaid program before any federal or state governmental body; and may disseminate factual information about the Medicaid program to nursing homes.

The proposed final judgment requires that the defendant furnish a copy of the judgment to each of its members, as well as to new members as they join, together with a letter explaining its terms. Also, the defendant is required to furnish to the Court and the plaintiff an affidavit as to the fact and manner of its notification of its members and future members.

The proposed final judgment requires that thirteen months after entry of the judgment and every two years thereafter, the defendant audit its operations to determine compliance with the judgment and with the antitrust laws. Its findings must be filed with the Court and the plaintiff.

The proposed final judgment requires that the defendant adopt a written statement setting forth its policy regarding compliance with the antitrust laws and the judgment. The written compliance policy must be published in defendant's newsletter at least once a year for three consecutive years.

B. Scope of the Proposed Judgment

The proposed final judgment will remain in effect for a period of ten years from entry. It applies to the defendant and to each of its officers, directors, members, agents, employees, successors and assigns, and to all other persons in actual concert or participation with any of them who receive actual notice of the judgment.

C. Effect of the Proposed Judgment on Competition

The relief in the proposed final judgment is designed to prevent any recurrence of the activities alleged in the complaint. The prohibitive language of the judgment should insure that each nursing home's decision whether to provide services under the Medicaid program will be made independently by it, without agreements among competitors and between competitors and their trade association.

The proposed final judgment provides two methods for determining the defendant's compliance with its terms. First, the United States is given access, upon reasonable notice, to the records of the defendant to examine them for possible violations of the judgment, and to interview officers, directors, employees and agents of the defendant. Second, the United States may require the defendant to submit written reports about any matters pertaining to the judgment.

The Department of Justice believes that the proposed final judgment contains adequate provisions to prevent further violations by the defendant of the type upon which this complaint is based. The Department believes that disposition of the lawsuit without further litigation is appropriate because the proposed judgment provides all the relief which the United States sought in its complaint, and the additional expense of litigation would not result in additional public benefit.

IV

Remedies Available to Potential Private Litigants

Section 4 of the Clayton Act (15 U.S.C. 15) provides that any person who has been injured as a result of conduct prohibited by the antitrust laws may bring suit in federal court to recover three times the damages suffered, as well as costs and reasonable attorneys fees. Entry of the proposed final judgment will neither impair nor assist the bringing of such actions. Under the provisions of Section 5(a) of the Clayton Act (15 U.S.C. 16(a)), the judgment has no *prima facie* effect in any subsequent lawsuits that may be brought against this defendant.

V

Procedures Available for Modification of the Proposed Judgment

As provided by the Antitrust Procedures and Penalties Act, any person believing that the proposed final judgment should be

modified may submit written comments to John W. Poole, Jr., Antitrust Division, United States Department of Justice, 10th & Penn. Ave., NW., Washington, D.C. 20530 within the 60-day period provided by the Act. These comments, and the Department's responses, will be filed with the Court and published in the **Federal Register**. All comments will be given due consideration by the Department of Justice, which remains free to withdraw its consent to the proposed judgment at any time prior to entry. The judgment provides that the Court retains jurisdiction over this action, and the parties may apply to the Court for any order necessary or appropriate for its modification, interpretation or enforcement.

VI

Alternatives to the Proposed Consent Judgment

This case does not involve any unusual or novel issues of fact or law which might make litigation a more desirable alternative than entry of this final judgment. The Department considers the substantive language of the judgment to be of sufficient scope and effectiveness to make litigation on relief unnecessary, as the judgment provides all relief which reasonably could have been expected after trial.

VII

Other Materials

No materials and documents of the type described in Section 2(b) of the Antitrust Procedures and Penalties Act (15 U.S.C. 16(b)) were considered in formulating the proposed final judgment.

Dated: February 7, 1980.

W. Stephen Cannon.

John J. Miles,

Attorneys, Department of Justice, 10th & Pa. Ave., NW., Washington, D.C. 20530. Telephone: (202) 633-2836.

[FR Doc. 80-5321 Filed 2-20-80; 8:45 am]

BILLING CODE 4410-01-M

LEGAL SERVICES CORPORATION

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L. 95-222 (December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Kalamazoo and Van Buren County Legal Aid Bureau in Kalamazoo, Michigan, to serve St. Joseph County.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, North Virginia Regional Office, 1730 N. Lynn Street, Arlington, Va. 22209.

Dan J. Bradley,

President.

[FR Doc. 80-5307 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L. 95-222 (December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

California Indian Legal Services in Oakland, Calif., to serve Alpine County.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, San Francisco Regional Office, 177 Post Street, Suite 890, San Francisco, Calif. 94104.

Dan J. Bradley,

President.

[FR Doc. 80-5308 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L 93-222 (December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Kansas Legal Services in Topeka, Kansas, to serve Anderson, Chase, Cheyenne, Coffey, Decatur, Dickinson, Ellsworth, Gove, Marion, Marshall, Osborne, Rawlins, Sheridan, Smith, Trego and Washington Counties.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, Chicago Regional Office, 310 South Michigan Avenue, 24th Floor, Chicago, Illinois 60604.

Dan J. Bradley,

President.

[FR Doc. 80-5309 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L. 95-222 (December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Legal Aid of Southwest Missouri in Springfield, Missouri, to service Cedar, Dade, Dallas, Douglas, Howell, Laclede, Oregon, Ozark, Polk, Shannon, Texas and Wright Counties.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, Chicago Regional Office, 310 South Michigan Avenue, 24th Floor, Chicago, Illinois 60604.

Dan J. Bradley,

President.

[FR Doc. 5310 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L. 95-222

(December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Legal Aid Society of Sacramento Co., Inc in Sacramento, California, to serve Amador, Calaveras, El Dorado, Glenn, Lassen, Nevada, Plumas, Sierra and Tehama Counties.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, San Francisco Regional Office, 177 Post Street, Suite 890, San Francisco, Ca. 94104.

Dan J. Bradley,

President.

[FR Doc. 80-5311 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L. 95-222 (December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Tulare County Legal Service Association in Visalia, California, to serve Kings County.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, San Francisco Regional Office, 177 Post Street, Suite 890, San Francisco, Calif. 94104.

Dan J. Bradley,

President.

[FR Doc. 80-5312 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L. 95-222 (December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Legal Aid of Western Michigan in Grand Rapids, Michigan, to serve Lake, Mason and Osceola Counties.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services corporation, Northern Virginia Regional Office, 1730 North Lynn Street, Suite 600, Arlington, Va. 22209.

Dan J. Bradley,

President.

[FR Doc. 80-5313 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L. 95-222 (December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Legal Aid Society of Calhoun County in Battle Creek, Michigan, to serve Hillsdale County.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, Northern Virginia Regional Office, 1730 North Lynn Street, Suite 600, Arlington, Va. 22209.

Dan J. Bradley,

President.

[FR Doc. 80-5315 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L. 95-222 (December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Oakland County Legal Aid Society in Pontiac, Michigan, to serve Kings County.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, Northern Virginia Regional Office, 1730 North Lynn Street, Suite 600, Arlington, Va. 22209.

Dan J. Bradley,

President.

[FR Doc. 80-5316 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996*l*, as amended, Pub. L. 95-222 (December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Upper Peninsula Legal Services, Inc. in Sault Ste. Marie, Michigan, to serve Iosco, Ogemaw and Roscommon Counties.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, Northern Virginia Regional Office, 1730 North Lynn Street, Suite 600, Arlington, Va. 22209.

Dan J. Bradley,

President.

[FR Doc. 80-5317 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

Grants and Contracts

February 14, 1980.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L 93-355a, 88 Stat. 378, 42 U.S.C. 2996-2996/, as amended, Pub. L 95-222 (December 28, 1977). Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly * * * such grant, contract, or project * * *."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Lakeshore Legal Services in Mount Clemens, Michigan, to serve Huron, Sanilac and Tuscola Counties.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, Northern Virginia Regional Office, 1730 North Lynn Street, Suite 600, Arlington, Va. 22209.

Dan J. Bradley,

President.

[FR Doc. 80-5318 Filed 2-20-80; 8:45 am]

BILLING CODE 6820-35-M

NATIONAL TRANSPORTATION SAFETY BOARD

[N-AR 80-8]

Reports, Safety Recommendations and Responses; Availability

Aircraft Accident Reports in Brief Format

U.S. Civil Aviation Accidents, Issue No. 2 of 1979 Accidents (NTSB-BA-79-6).—The National Transportation Safety Board on February 7 made available the second volume in its series of brief reports on general aviation accidents which occurred during 1979. The 298 accidents reported in Issue No. 2 are arranged by date and the State in which they occurred. This publication is issued irregularly, normally 15 times each year. The brief format presents the facts, conditions, circumstances, and probable cause(s) for each accident. Additional statistical information is tabulated by injury index, injuries, and causal factors.

The Safety Board, in Press Release SB 80-7 announcing Issue No. 2, cites one accident to highlight a long-standing problem in general aviation—unwarranted low altitude flying, or buzzing. In this case, the pilot of a Cessna 150 took off from Abingdon, Va., with a passenger for a flight over the local area. According to witnesses, the pilot, who had 250 hours in the Cessna 150 and over 400 hours total flying time, made a series of low level passes over South Holston Lake near Bristol, Tenn., in an attempt to buzz a flock of ducks. One witness, a professional pilot, said the Cessna's propwash left a wake on the water. On the last pass, the plane was observed to strike the water and sink. Both the pilot and his passenger were killed.

Warnings against the danger of unwarranted low altitude flying have been made repeatedly by safety officials. But the Board's accident statistics indicating a need for repetition remains. Therefore, the following chart of 1974-1978 U.S. general aviation accident involving unwarranted low altitude flying phase of operation is directed to those pilots who may feel that the excitement of buzzing is worth the risk:

	Accidents	
	Total	Fatal
1974	25	12
1975	29	17
1976	37	26
1977	54	35
1978	31	18

Copies of Issue No. 1 may be purchased from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va., 22151.

Note.—The brief reports in this volume contain essential information; more detailed data may be obtained from the original factual reports on file in the Washington office of the Safety Board. Upon request, factual reports will be reproduced commercially at an average cost of 7 cents per page for printed matter, $1 per page for black-and-white photographs, and $1.50 per page for color photographs, plus postage. Requests concerning aircraft accident report briefs should include (1) date and place of occurrence, (2) type of aircraft and registration number, and (3) name of pilot. Address requests to: Public Inquiries Section, National Transportation Safety Board, Washington, D.C. 20594.

Marine Accident Report

Fire on Board the Canadian Bulk Carrier M/V CARTIERCLIFFE HALL, Lake Superior, June 5, 1979 (NTSB-MAR-80-1).—The Safety Board on February 8 released the final report on this accident, investigated jointly by the Safety Board and the U.S. Coast Guard. The formal investigation convened on June 8, 1979, in Duluth, Minn. This report is based on the evidence and testimony developed during the investigation.

The fire erupted on the CARTIERCLIFFE HALL while it was underway in Lake Superior between Duluth and Port Cartier, Quebec, Canada, in U.S. waters. The fire destroyed the vessel's accommodation spaces and pilothouse. Six persons were killed and five persons were injured; one person died later as a result of burns received from the fire.

The Safety Board has determined that the probable cause of this accident was the ignition by an unknown source of combustible materials within the spar deck crew accommodations. The rapid rate at which the fire spread was due to the lack of structural fire protection in the design and the extensive use of combustible materials in the construction of the accommodation spaces. Contributing to the loss of life were the rapid rate at which the fire spread and the lack of an adequate fire detecting system.

As a result of this accident investigation, the Safety Board on January 25 recommended that the U.S. Department of State, in consultation with the U.S. Coast Guard, initiate negotiations for a bilateral agreement between the United States Government and the Canadian Government to establish common structural fire protection and fire detection standards for Great lakes vessels (recommendation M-80-4). Also on January 25, the Safety Board recommended that the U.S. Coast Guard amend 46 CFR Subpart 95.05-1, to require that a fire detection system be installed in the accommodation spaces of U.S. vessels that do not meet current structural fire protection standards (M-80-5). (See also 45 FR 8390, February 7, 1980.)

Special Investigation Report

Survival in Hazardous Materials Transportation Accidents (NTSB-HZM-79-4).—The Safety Board has investigated many accidents in which persons were killed following the release of hazardous materials from vehicles involved in the accidents. For example, 16 persons died following the rupture of a liquefied petroleum gas

tank-semitrailer in a 1975 highway accident near Eagle Pass, Texas. Also, in Youngstown, Fla., eight persons died following the puncture of a rail tank car carrying chlorine during an accident in 1978, and in Houston, Texas, five persons were killed and 178 persons were injured by the release of anhydrous ammonia following the crash of a tank-semitrailer in a 1976 highway accident. The Safety Board has previously reported the causes of these accidents but notes that the extent of the casualties in these and other accidents following the release of hazardous materials far exceeded the initial crash losses. The Board believes that improving survivability in such accidents would contribute significantly to reduced hazardous materials transportation risks.

Using the 1976 Houston accident as an example, the Safety Board investigated survival actions by the victims to determine what actions they took, why they were taken, and what effects these actions had on the victims' survival. These actions were then analyzed to determine the effectiveness of the U.S. Department of Transportation-mandated safeguards in reducing casualties in hazardous materials accidents. The Board's resulting special report was released on February 8.

The report shows that the Safety Board reached the following conclusions as a result of this special investigation:

1. None of the regulatory safeguards—vehicle, roadway, placarding, or emergency action guides—were effective in reducing the injurious effects of the hazardous materials release in the Houston accident on May 11, 1976.

2. The threat to personal safety was not generally recognized by the exposed motorists until injury occurred; then the only survival action recognized was to flee the ammonia cloud.

3. The markings, placards, and labeling under 49 CFR Part 172, Hazardous Materials Communications Regulations, did not assist those involved to identify the nature of the threat, to communicate what actions to take, or to help control the emergency.

4. The current reporting system of the U.S. Department of Transportation's Materials Transportation Bureau requires the occurrence of numerous accidents in order to identify data trends that demonstrate a need for improved safeguards.

5. MTB cannot evaluate its safeguards affecting hazardous materials transportation releases adequately or promptly because it does not have a procedure by which survival action data are collected and used.

6. DOT's hazardous materials incident reporting system requires carriers to help prepare data to support trend analysis that is directed toward packaging rather than improved survivability; both factors need to be considered.

7. MTB needs to change its policy of relying solely on carriers to support its accident/incident reporting system; it should marshal all the available resources for collecting accident information to support its regulatory program.

Further as a result of this investigation, the Safety Board last December 11 recommended that DOT's Research and Special Programs Adminstration: (1) Incorporate hazardous materials incident survival action data in the new centralized hazardous materials information system which DOT is establishing under recommendation No. 3 of the September 1978 Report of the Hazardous Materials Task Force (I–79–14); (2) establish procedures to promptly utilize survival action data and to analyze the harm from an accident in evaluating the influence of regulatory safeguards upon the outcome of serious hazardous materials incidents (I–79–15); and (3) use survival action data collected to revise emergency guidelines, incorporating recommended actions, their purpose, and the effect they should have in reducing losses following the release of hazardous materials (I–79–16). (See also 44 FR 75538, December 20, 1979.)

Safety Recommendation Letters

Aviation

A–80–13 and 14.—On March 1, 1979, a Beech 70 Excalibur Conversion (Queen Air), N777AE, crashed just after takeoff from the Gulfport-Biloxi Regional Airport, Gulfport, Miss. The aircraft was being operated by Universal Airways, Inc., under 14 CFR Part 135.

The aircraft took off from runway 17, and, reaching an altitude of 100 feet at the departure end of the runway, the pilot told Gulfport Tower, "Universal 76 is taking it around, going to land, going to land on 13." Witnesses stated that as the aricraft began a right turn the nose "pitched up" following which the aircraft immediately entered a steep dive, which it maintained until ground impact. All eight occupants were killed; there was no fire after impact.

Investigation of this accident revealed that the nose baggage door came open on takeoff and struck the left propeller. The door apparently had not been secured properly by the station agent who had removed baggage from the compartment. The Board notes that the forward baggage compartment door is hinged at the top and is opened by turning a D-shaped handle. The latching mechanism incorporates three sliding bayonet latches which are held in the latched position by an overcenter cam. A microswitch is mounted ahead of the forward bayonet and door frame and is connected in series to the left engine starter switch. The door must be fully latched and the microswitch actuated by the pressure of the bayonet point before the engine can be started. This feature was designed by Beech to ensure safety of operation of the aircraft. On N777AE, however, the safety interrupt feature had been bypassed by a wire installed between the battery terminals of the two-engine magneto/start switches. This allowed both engines to be started even though the door was not fully latched.

In a similar accident involving a Ross Aviation Beech 65–80 (Queen Air) at Albuquerque, N.M., on May 19, 1972, nine persons were killed. As a result of that accident and a similar accident involving a Beech 99, the Safety Board issued to the Federal Aviation Administration recommendations A–72–78 through 81. These recommendation dealt with the need for: secondary locking devices, cargo restraint systems, an alert to all air taxi operators, rulemaking to revise 14 CFR Part 135, and evaluation of the applicability of 14 CFR 23.787(b) to this type of nose cargo compartment.

The Safety Board notes that FAA issued an alert to all operators and owners regarding the need for positive door closure and for rigging the door actuating mechanism in accordance with the manufacturer's instructions. In addition, FAA responded that if the door latching mechanism was properly maintained and fully secured by the operator, the requirements for cargo compartments and cargo security and protection contained in 14 CFR 23.787(b) would be satisfied. Based on this response, the recommendations were classified "Closed—Unacceptable Action" by the Board.

In 1976, Beech Aircraft Corporation surveyed 66 Beech Queen Airs that were equipped with nose baggage doors. The findings of the survey indicated that only 10 of the 66 aircraft had properly operating starter interrupt systems.

In view of these findings, the unacceptable response to the Board's previous recommendations, and the Gulfport accident, the Safety Board concludes that action is still required to prevent inadvertent opening of nose baggage doors in flight. Accordingly, on February 13, the Board recommended that FAA:

Take action to provide double failure protection by means of a secondary locking device on nose baggage doors of light twin engine aircraft engaged in Part 135 operations. (A–80–13)

Require that the nose baggage door interrupter system on all Beech Aircraft models so equipped be operational before flight. (A–80–14)

Both of the above recommendations are designated "Class II, Priority Action."

Highway

H-80-9 through 11, H-80-12 and 13.—On September 17, 1979, the Federal Highway Administration issued emergency final rulemaking, "Traffic Safety in Highway and Street Work Zones; Separation of Opposing Traffic" (23 CFR 630.1010), to "require more stringent control measures to reduce * * * accidents on highway construction projects funded by FHWA." The Safety Board notes that this rulemaking permits two-way traffic on normally divided highways only when other methods of traffic control are not feasible. Where two-way traffic is unavoidable, approved concrete barriers, drums, cones, or verticial panels throughout the length of the two-way operation must be used. The Safety Board strongly supports these more stringent control measures, but the Board believes that these constraints should apply to all work on divided Federal-aid roads and not just to construction projects funded by FHWA as is provided by the recent rules. The Board's position is reinforced by its investigation of a recent multiple-vehicle collision.

About 6:25 a.m. on August 22, 1979, a westbound tractor-semitrailer sideswiped an eastbound tractor-semitrailer and then struck an eastbound motor home on Interstate 80 about 30 miles northwest of Laramie, Wyo. Interstate 80 was under construction and both eastbound and westbound traffic was traveling on the two undivided westbound lanes. The two persons in the westbound truck and six of the seven persons in the motor home were killed.

The Safety Board notes that between June 17 and September 3 last year 9 accidents occurred on the 9-mile section of I-80 containing the construction zone; these accidents resulted in 13 fatalities, 4 injuries, and 14 damaged vehicles. On June 26, 1979, FHWA's Division Office discussed the June 17 accident and recommendations for positive traffic separation measures with Wyoming's State Highway Department. None of the recommended positive separation measures were in use in the construction zone on August 22, 1979. Furthermore, a positive separation measure would not have been required even under FHWA's recent emergency rulemaking requirements because the construction project was financed exclusively with non-FHWA funds. The Safety Board believes that FHWA should expand the scope of the recent rulemaking to include all construction of Federal-aid highways to insure the use of approved traffic control devices regardless of the funding source of the specific project.

Additionally, although FHWA's emergency rulemaking requires separation and appropriate traffic control devices, it does not provide practical guidelines for implementation in the field. The impact of the lack of guidelines was highlighted by an informal telephone survey conducted by the Safety Board to determine the current traffic separation practices at locations similar to the accident site. The survey included all FHWA regions and many State highway offices. It revealed a wide variation in practices and the following practical concerns:

1. The operational problems with portable concrete median barriers. (The operational problems include management, placement, end treatment, the increase in accidents due to a continuous barrier, and other factors).
2. The high loss of cones, barrels, and flexible posts—as high as 20 to 30 percent daily.
3. The need for limitations on the maximum safe length of construction zones which should be used for two-way operation.
4. The need for speed limit restrictions and enforcement.
5. The need for limitations on the number of days a two-way operation should be permitted.
6. The lack of guidance on end treatments for barriers.
7. The problems associated with accommodating wide vehicles, especially near narrow bridges where concrete median barriers are used.
8. The problems associated with maintaining traffic where usable shoulders are not available.

The Safety Board is aware that the FHWA is sponsoring research which will address some of the previously listed concerns, and that there is operational experience in the States which FHWA could use to develop effective solutions for some of the other concerns. These research findings and operational experiences should be compiled into a concise manual of effective practical guidelines which could be disseminated to those responsible for developing traffic control plans.

Finally, the Safety Board is not aware of any research in the major area of operational problems associated with the use of portable median barriers, barrels, cones, and panels. Apparently, there is a significant gap in available traffic control devices between the massive concrete median barriers, with their inherent operational problems, and the flimsy cones and tubes, which are often damaged or removed from a site and have to be replaced. Contractors nationwide have reported a heavy loss of cones and barrels. Additionally, cones and barrels have the potential for becoming lodged in mechanical parts of a vehicle, which could pose further safety hazards. Although FHWA is crash-testing different barrier systems and industry has introduced plastic type-III barricades, there still appears to be a need for a device that could function as a visual channelizing device where two-way operation is unavoidable and use of the concrete barrier is impractical.

Accordingly, the Safety Board on February 11 recommended that FHWA:

Expand the Emergency Final Rule, 23 CFR 630.1010 to apply to all construction and maintenance zones on divided Federal-aid roads. (Class I, Urgent Action) (H-80-9)

Develop and disseminate a manual which will compile operational experience and current research findings related to channelizing traffic which is rerouted in work areas. (Class II, Priority Action) (H-80-10)

Promote the development of a traffic control device to fill the gap between shaped concrete barrier and traffic cones to serve as a continuous visual barrier to separate traffic in work zones. (Class III, Longer Term Action) (H-80-11)

A separate recommendation letter concerning the Laramie accident was forwarded, also on February 11, by the Safety Board to the Governor of Wyoming. The letter states that the temporary eastbound lane was 12 feet 8 inches wide. The shoulder for eastbound traffic was 8 feet 1 inch wide and the westbound shoulder was about 12 feet 11 inches wide. Only 3 feet of the eastbound shoulder was usable because the slope changed abruptly from about 30:1 (0.035 ft/ft) to slightly less than 4:1 (0.236 ft/ft). The driver of the eastbound truck said she did not move any farther to the right than she thought necessary to avoid frontal contact because she did not want to risk overturning her vehicle. Since 1975, more than 75 percent of the fatalities and nearly 38 percent of the accidents on I-80 between mileposts 263 and 312, which includes the accident site, involved overturning vehicles.

Although the shoulder at the site of the August 22, 1979, accident has since been regraded, the Safety Board concludes that based on the accident history of this section of highway, there may be other shoulder segments which do not meet the standards of the American Association of State Highway and Transportation Officials' Blue Book, "A Policy on Geometric Design of Rural Highways—1965."

The Safety Board is also concerned about the high speed of the westbound truck. A recent FHWA report—"Accident and Speed Studies in Construction Zones," June 1977 (FHWA-

RD-77-80)—indicated that a reduced speed limit in a construction zone did not reduce the accident rate, but did increase conflicts in the transition area. Further, vehicle speed was not reduced unless enforcement units were visible within a few miles of the site. Field studies have demonstrated that enforcement not only controls speed but also reduces erratic maneuvers and traffic conflicts.

In view of these findings, the Safety Board forwarded these two "Class II, Priority Action" recommendations to the Governor of Wyoming:

Conduct an engineering study to determine where regrading of the shoulders is necessary and correct those locations to reduce the number of overturning accidents on Interstate 80 between mileposts 263 and 312. (H-80-12)

Take necessary steps to increase the effectiveness of its enforcement of speed limits, especially within and adjacent to construction zones. (H-80-13)

Copies of the Safety Board's formal investigation report concerning the Laramie accident are being prepared for distribution and will be made available in the near future.

Responses to Safety Recommendations

Marine

M-78-74 through 77.—U.S. Coast Guard on January 21 responded to the Safety Board's comments forwarded last May 7 to Coast Guard's March 14 response (44 FR 23394, April 19, 1979) to recommendations issued following investigation of the collision of Liberian Tankship M/V STOLT VIKING and U.S. Crewboat CANDY BAR which occurred in the Gulf of Mexico, January 7, 1978.

The recommendations called on Coast Guard to:

Require vessels carrying more than six passengers for hire and engaged in the offshore oil industry to have electronic navigational equipment including radar, LORAN, and a fathometer. (M-78-74)

Require that a person applying for an operator's license for vessels carrying more than six passengers for hire and engaged in the offshore oil industry be examined in the use of electronics navigational equipment such as radar, LORAN, and fathometers. (M-78-75)

Require that the operator of every radar-equipped vessel carrying more than six passengers for hire and engaged in the offshore oil industry be qualified as a radar observer. (M-78-76)

Require that the operators of vessels carrying more than six passengers for hire and engaged in the offshore oil industry, when operating for more than 12 hours: (1) Establish standardized watch schedules to minimize fatigue from prolonged duty hours, and (2) appoint one operator to be in charge to establish responsibility of command and to avoid confusion in an emergency. (M-78-77)

With reference to recommendations M-78-74, 75, and 76, the Safety Board last May 7 stated that these three recommendations were intended to be complementary and were published in that order for emphasis. It is obvious that there can be no requirement for an operator to be qualified to operate certain equipment if that equipment is not required to be on the vessel. The steps necessary are: (1) Require the equipment, (2) require examination of the operators, and (3) require certification of the operator's ability to use the equipment. The facts of the subject accident showed positively the pitfalls of sophisticated equipment in the hands of unskilled users. The LORAN and the radar were misused in the case of the CANDY BAR. The Board does not believe that the answer is to get rid of the equipment, as implied in the Coast Guard response, but to train the operators, as recommended by the Board.

Electronic navigational equipment has become less expensive in recent years and, as with the CANDY BAR, owners are providing this equipment. However, the qualifications required of licensed operators have not kept pace with the progress of the navigational equipment. Even though all surface radar is limited due to antenna height, the Safety Board believes that normal antenna height would be adequate for safe navigation of this type of vessel.

If the Coast Guard believes that a single trade related restriction on the operator examination is inappropriate, the Board suggests that the qualification and examination in the use of electronic navigation equipment be extended to all operators of vessels that carry more than six passengers for hire regardless of employment. The Board suggests in lieu of the trade restriction, an operating restriction, such as for vessels operating for more than 12 hours and more than 20 miles offshore.

The Safety Board determined that the probable cause of this accident was the failure of both the STOLT VIKING and the CANDY BAR to keep an adequate lookout, visually as well as on radar. Additionally, the crew of the CANDY BAR incorrectly determined their own position about 5 minutes before the collision. The incorrect use of the available electronic navigational equipment was most definitely a factor in this accident.

The Board notes that the procedure for qualification as "radar observer" for operators of vessels over 300 gross tons and for operators of vessels under 300 gross tons need not be the same; the important point is that accurate navigation and correct collision avoidance procedures are fundamental to the safe operation of any vessel. The principle of operation in 49 CFR 10.05-46 should be considered essential for the operator of a vessel carrying more than six persons for hire. The fact that CANDY BAR type vessels are small and lively and cannot keep as precise a course as larger vessels makes it even more important that the navigators of such vessels be capable of effective and accurate use of the electronic equipment available.

With reference to recommendation M-78—77, the Safety Board said on May 7, 1979, that in the CANDY BAR case the watch-standing division tradition must not have taken hold. A single operator was on duty for most of a 12-hour period. As there is no requirement for a standard watch, or even for maximum duty hours for vessels under 100 gross tons (46 CFR 157.20-5 and 157.20-10 apply to vessels of more than 100 gross tons), the ill-advised action of the operator was not necessarily illegal. The Safety Board believes that in an area with high density tankship and other vessel traffic, and numerous petroleum exploration structures, the watch division and duty hour requirements of 46 CFR 157.20-5 and 157.20-10 should apply to vessels under 100 gross tons carrying six or more passengers for hire. The Board asked for reconsideration of the watch schedule portion of this recommendation.

The second part of M-78-77 was intended to cause the establishment of responsibility for the safety of the vessel and its passengers, not seniority. The Safety Board is not concerned as to the age or length of service of an individual, but that one individual be given the responsibility for command for the entire voyage rather than the tradeoff situation that existed on the CANDY BAR. The Board hopes that, if the Coast Guard does not feel a regulation is necessary, at least some publication concerning the common sense involved in providing for a "master" designation for these vessels might go to the companies and owners involved.

Coast Guard's letter of January 21 in response indicates nonconcurrence with recommendations M-78-74 and M-78-75. Coast Guard says the casualty statistics and equipment limitations do not justify the proposed regulations called for in recommendation M-78-74. Coast Guard says it did not intend to imply that vessel operators get rid of electronic navigational equipment and views with favor the trend of the vessel "T" boat industry to self-equip. Coast Guard does not believe there is justification to implement M-78-74,

especially since many owners are providing this equipment at their own initiative. Coast Guard identified the limitations of radars in vessels described in the recommendation as (1) small display and scope size, (2) depict contacts on a relative bearing as gyrocompass imputs are seldom available, (3) heavy sea return, and (4) limited range.

With reference to M-78-75, Coast Guard notes that the Safety Board suggested that operator examinations in electronic navigational equipment either be extended to all operators of vessels carrying more than six passengers or to those vessels operating more than 12 hours or more than 20 miles offshore. Coast Guard does not agree that hours of operation or distance offshore has any bearing on the use of electronic equipment. Coast Guard's initial response of April 19, 1979, to M-78-75 considers the operation of all small passenger vessels.

Coast Guard, with respect to recommendation M-78-76, notes that the Safety Board concludes that inaccurate use of position-fixing equipment on the CANDY BAR was definitely a factor in this accident. Coast Guard does not agree with this conclusion in that the need for an alert lookout exists throughout this operating area and the fact that the vessel was located approximately one mile farther north than determined earlier by the crew was not significant to this collision. Coast Guard states, "Actually, a one-mile navigational error could reasonably be expected considering the location and the equipment in use. It is not viewed as ineffective operator use of installed equipment."

Concerning recommendation M-78-77, Coast Guard says any move to apply 46 157.20-5 and 157.20-10 to Subchapter T vessels would require a statutory change. This attempt would most likely not be successful due to opposition form boat operators as labor costs would increase significantly. Part 52-2-10 of the Coast Guard Marine Safety Manual provide a standard scale for a two watch system which has proved satisfactory. The requirement to carry an additional operator when operating more than 12 hours is provided for on the vessel's Certificate of Inspection. Coast Guard reports that Operations Research, Inc., has made two studies for Coast Guard since 1977 concerning human causal factors in marine accidents. Fatigue was not analyzed as a potential causal factor because, it was determined, fatigue was not readily quantifiable or easily perceived as a direct or indirect factor. Coast Guard said it would be relatively easy to require that one of the operators be designated as "master." The problem comes in the definitions and related duties of the terms "master" and "operator." The Coast Guard is studying changes to 46 CFR Parts 390 and 404 to remove "operator" from the statutory and regulatory language. A submission to the Congress is contemplated during its current session, and an update of this legislative effort will be supplied in 6 months.

NOTE: Single copies of the Safety Board's reports are available without charge, as long as limited supplies last. Copies of recommendation letters and responses thereto are also provided free of charge. All requests for copies must be in writing, identified by report or recommendation number. Address requests to: Public Inquires Section, National Transportation Safety Board, Washington, D.C. 20594.

Multiple copies of reports may be purchased from the National Technical Information Service, U. S. Department of Commerce, Springfield, Va. 22151.

(49 U.S.C. 1903(a)(2), 1906)

Margaret L. Fisher,

Federal Register Liaison Officer.

February 15, 1980.

[FR Doc. 80-5341 Filed 2-20-80; 8:45 am]

BILLING CODE 4910-58-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-409]

Dairyland Power Coop.; Issuance of Amendment to Provisional Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 19 to Provisional Operating License No. DPR-45, issued to Dairyland Power Cooperative (the licensee), which revised the Technical Specifications for operation of the La Crosse Boiling Water Reactor (LACBWR) located in Vernon County, Wisconsin. The amendment is effective as of its date of issuance.

The amendment modifies the Technical Specifications for the LACBWR by adding new, more restrictive limits for the reactor coolant and off-gas radioactivity to compensate for increasing the maximum average fuel assembly exposure by 600 MWD/MTU. These limits apply only to fuel cycle 6 operation and would permit continued reactor operation while the new spent fuel racks are being installed in the fuel storage well.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated January 17, 1980, and supplement thereto dated January 28, 1980, (2) Amendment No. 19 to License No. DPR-45, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the La Crosse Public Library, 800 Main Street, La Crosse, Wisconsin 54601. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operation Reactors.

Dated at Bethesda, Maryland, this 4th day of February, 1980.

For the Nuclear Regulatory Commission.

Dennis L. Ziemann,

Chief, Operating Reactors Branch No. 2, Division of Operating Reactors.

[FR Doc. 80-5375 Filed 2-20-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-334]

Duquesne Light Co., et al.; Termination of Order for Modification of Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has completed the review of the Revised ECCS Analysis relating to the Zirconium-Water error and has terminated the April 21, 1978 Order for Modification of Facility Operating License No. DPR-66 issued to Duquesne Light Company, Ohio Edison Company and Pennsylvania Power Company (the licensee) of the Beaver Valley Power Station, Unit No. 1 (the facility) located in Beaver County, Pennsylvania. This action is effective as of the date of issuance.

This action complies with the standards and requirements of the

Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the related Safety Evaluation. Prior public notice of this action was not required since this action does not involve a significant hazards consideration.

The Commission has determined that the termination of the Order for Modification will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) and environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this action.

For further details with respect to this action, see (1) the application for termination of the Order for Modification dated May 7, 1979 and (2) the Commission's letter to the licensee dated January 9, 1980. These items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the B. F. Jones Memorial Library, 663 Franklin Avenue, Aliquippa, Pennsylvania 15001. A copy of item (2) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 9th day of January, 1980.

For the Nuclear Regulatory Commission.

A. Schwencer,

Chief, Operating Reactors Branch No. 1, Division of Operating Reactors.

[FR Doc. 80-5377 Filed 2-20-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-250]

Florida Power & Light Co.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 52 to Facility Operating License No. DPR-31 issued to Florida Power and Light Company (the licensee), which revised Technical Specifications for operation of the Turkey Point Nuclear Generating, Unit No. 3 (the facility) located in the Dade County, Florida. The amendment is effective as of the date of issuance.

The amendment permits continued operation of Turkey Point Plant Unit No. 3 for six equivalent full power months from January 24, 1980 at which time the steam generators shall be inspected.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since this amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated January 10, 1980, as supplemented by letter dated January 18, 1980, (2) Amendment No. 52 to License No. DPR-31, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room 1717 H Street, N.W., Washington, D.C. and at the Environmental and Urban Affairs Library, Florida International University, Miami, Florida 33199. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 25th day of January, 1980.

For the Nuclear Regulatory Commission.

A. Schwencer,

Chief, Operating Reactors Branch No.1, Division of Operating Reactors.

[FR Doc. 80-5380 Filed 2-20-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-316]

Indiana & Michigan Electric Co.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 17 to Facility Operating License No. DPR-74 issued to Indiana and Michigan Electric Company (the licensee), which revised Technical Specifications for operation of Donald C. Cook Nuclear Plant, Unit No. 2 (the facility) located in Berrien County, Michigan. The amendment is effective as of the date of issuance.

The amendment revises the Technical Specification limits for total nuclear peaking factor (F_q) for the Donald C. Cook, Unit No. 2.

The amendment also supersedes the Order for Modification of License for D. C. Cook Unit No. 2, dated June 6, 1978, accordingly, that Order has been terminated.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated January 9, 1980 as supplemented January 11, 1980, (2) Amendment No. 17 to License No. DPR-74, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Maude Reston Palenske Memorial Library, 500 Market Street, St. Joseph, Michigan 49085. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 11th day of January 1980.

For the Nuclear Regulatory Commission.

A. Schwencer,

Chief, Operating Reactors Branch No. 1, Division of Operating Reactors.

[FR Doc. 80-5379 Filed 2-20-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-309]

Maine Yankee Atomic Power Co.; Issuance of Amendment To Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has

issued Amendment No. 47 to Facility Operating License No. DPR-36, issued to Maine Yankee Atomic Power Company (the licensee), which revised Technical Specifications for operation of the Maine Yankee Atomic Power Station (the facility) located in Lincoln County, Maine. The amendment is effective as of its date of issuance.

The amendment deletes the limiting conditions for operation relating to equatic ecology set forth in the Appendix B Environmental Technical Specifications.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment is a ministerial action required as a matter of law and that an environmental impact assessment need not be prepared.

For further details with respect to this action, see (1) the application for amendment dated June 27, 1978, (2) Amendment No. 47 to License No. DPR-36, and (3) the Commission's letter to the licensee dated February 8, 1980. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Wiscasset Public Library Association, High Street, Wiscasset, Maine.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland this 8th day of February 1980.

For the Nuclear Regulatory Commission.

Robert W. Reid,

Chief, Operating Reactors Branch No 4, Division of Operating Reactors.

[FR Doc. 80-5376 Filed 2-20-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-286]

Power Authority of the State of New York; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 28 to Facility Operating License No. DPR-64, issued to the Power Authority of the State of New York (the licensee), which revised Technical Specifications for operation of the Indian Point Nuclear Generating Unit No. 3 (the facility) located in Buchanan, Westchester County, New York. The amendment is effective as of the date of issuance.

The amendment revises the reactor coolant system pressure and temperature heatup and cooldown curves and adds a requirement to conduct surveillance for core reactivity anomalies.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated August 24, 1979, (2) Amendment No. 28 to License No. DPR-64, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the White Plains Public Library, 100 Martine Avenue, White Plains, New York. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 19th day of January 1980.

For the Nuclear Regulatory Commission.

A. Schwencer,

Chief, Operating Reactors Branch No. 1, Division of Operating Reactors.

[FR Doc. 80-5374 Filed 2-20-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-281]

Virginia Electric & Power Co.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 54 to Facility Operating License No. DPR-37 issued to Virginia Electric and Power Company, which revised Technical Specifications for operation of the Surry Power Station, Unit No. 2 (the facility) located in Surry County, Virginia. The amendment is effective as of the date of issuance.

The amendment incorporates steam generator inservice inspection requirements and reactor coolant and secondary coolant iodine radioactive concentration limits into the Technical Specifications and deletes a license condition that previously governed steam generator inspections.

These changes have been made to provide inservice inspection requirements suitable for essentially new steam generators in accordance with Regulatory Guide 1.83. Previous requirements were tailored to deteriorating steam generator tubes which were removed as a part of the steam generator repair program approved on January 19, 1979.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement, or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of these amendments.

For further details with respect to this action, see (1) the application for amendment dated December 30, 1976 as supplemented May 24, 1979, (2) Amendment No. 54 to License No. DPR-37, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Swem Library, College of William and Mary, Williamsburg, Virginia. A copy of items (2) and (3) may

be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 20th day of December, 1979.

For the Nuclear Regulatory Commission.

A. Schwencer,

Chief, Operating Reactors Branch No. 1, Division of Operating Reactors.

[FR Doc. 80-5378 Filed 2-20-80; 8:45 am]

BILLING CODE 7590-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-16566; File No. SR-NYSE-77-13]

New York Stock Exchange, Inc.; Self-Regulatory Organizations; Proposed Rule Change

Pursuant to Section 19(b) of the Securities Exchange Act of 1934, as amended, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29 (June 4, 1975), notice is hereby given that on January 25, 1980 the above mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

Terms of Proposed Rule Changes

The proposed changes contain amendments to the New York Stock Exchange ("NYSE") filing (SR-NYSE-77-13) dealing with the regulation of associated persons of members of that exchange. The text of the proposed amendments is set forth below:

The New York Stock Exchange hereby amends Exhibit I of File No. SR-NYSE-77-13 and Exhibit 1-A of Amendment No. 1 thereto as follows. The new language italicized and deleted language [bracketed] reflect changes from the language contained in the Exhibits of the original filing and Amendment No. 1 thereto.

Rule 2—"Member," "Membership," "Member Firm," etc.

* * * * *

The term engaged in a "securities or kindred business" shall mean [acting as an investment advisor or] transacting business generally as a broker or dealer in securities, including but not limited to, servicing customer accounts or introducing them to another person.

* * * * *

Proposed New Rule 304—Allied Members and Approved Persons

(a) No person shall become or remain an allied member or an approved person unless [approved by the Board of Directors] *such person meets and continues to meet the standards prescribed in the Constitution and Rules of the Exchange.*

* * * * *

(h) Any person who controls a member or member organization or who engages in a securities or kindred business and is controlled by or under common control with a member or member organization but is not a member or allied member or an employee of a member organization shall apply for approval by the Exchange as an approved person by furnishing the Exchange with such information with respect to such applicant, its history and business, its equity-holders, officers, partners and directors, any person controlling such applicant, and such other information as the *rules of the* Exchange may [from time to time] require. Each such applicant shall agree to:

(1) Supply the Exchange with information with respect to such applicant's relationship and dealings with the member or member organization with which it is associated as the Exchange may reasonably require *to ascertain whether the applicant is in compliance with applicable provisions of Federal Securities Laws, the rules and regulations thereunder, and the rules of the Exchange;* and * * *.

.12 Notwithstanding the provisions of Rule 304(h)(4), no applicant to become an approved person (the "applicant") or approved person which is domiciled outside the United States shall be required to permit examination by the Exchange, or any person designated by it, of the applicant's or approved person's books and records, at its place of domicile, to verify the accuracy of information required to be supplied by the rules of the Exchange whenever such examination would, in the opinion of the independent person or government official (as hereinafter specified) be contrary to the law to which the applicant or approved person is subject in its place of domicile or contrary to generally accepted custom or business practice of such place. Whenever an applicant or an approved person chooses to invoke the provisions of the preceding sentence of this paragraph, the applicant or approved person shall, at its expense, submit to the Exchange a written certification acceptable to the Exchange by a person deemed independent of the applicant or approved person and of its affiliated member organization, which person is recognized as an enrolled attorney or counselor at law in such place of domicile (the "independent person") or an appropriate governmental official of the place of domicile stating that the examination of the books and records of the applicant or approved person by the Exchange or any person designated by it at its place of domicile would be contrary to the law to which the applicant or approved person is subject in its place of domicile or contrary to generally accepted custom or business practice of such place. Whenever and so long as an approved person chooses to invoke the provisions of the first sentence of this paragraph, the approved person shall, at its expense, submit to the Exchange, not less frequently than annually and upon specific request by the Exchange, a written certification acceptable to the Exchange by an independent person or a person deemed independent of the applicant or approved person and its affiliated member organization which person is recognized in the place of domicile of the applicant or approved person as an auditor stating that upon reasonable examination conducted by the said person in accordance with generally accepted practices and principles prevalent in the approved person's place of domicile, (i) in respect of any appropriately designated omnibus account carried by the affiliated member organization for the account of the approved person but not for its benefit, said independent person has no reason to believe that any of the persons on whose behalf and for whose benefit any transaction was effected therein was a person associated with the approved person or its affiliated member organization within the meaning of the Securities Exchange Act of 1934 as amended (the "Act"), or the rules thereunder, and (ii) in respect of any account carried by the affiliated member organization in the name and for the account and benefit of the approved person, which account reflects transactions effected in reliance on Section 11(a)(1)(G) of the Act, the rules thereunder, and, in particular, Rule 11a1-2 thereunder, the approved person, during its preceding fiscal year, derived more than fifty percent of its gross revenues from one or more of the sources specified in Section 11(a)(G)(i) of the Act.

Rule 311—Formation and Approval of Member Organizations.

* * * * *

(b) The Board of Directors shall not approve a partnership or corporation as a member organization unless:

(1) [at least a majority of the directors of such corporation are members or allied members; and] each director of such corporation [who] is [not] a member, [or] allied member *or* [is] an approved person; and

* * * * *

Rule 312—Notice of Changes Within Member Organizations

* * * * *

(e) Unless permitted by the [Board of Directors] *Exchange in order to protect investors and the public interest or to facilitate the administration of the Exchange,* no person shall be a member or allied member in a member organization unless all persons required to be approved by the [Board of Directors] *Exchange* are so approved.

* * * * *

NYSE Statement of the Purpose of the Proposed Constitutional and Rule Changes

This section of original File No. SR-NYSE-77-13 and Amendment No. 1 thereto is amended by adding the following paragraphs as item F to explain the purpose of the changes contained in this amendment to the filing:

Rule 2 has been amended to remove investment advisors from the proposed

definition of "securities or kindred business" thereby relieving investment advisors (who are not registered broker/dealers) controlled by or under common control with a member of the Exchange from the originally proposed requirement that they become approved persons.

Rule 304(a) has been amended to include a reference to the standards required for a person to become or remain an allied member or approved person.

Rule 304(h) has been amended by inserting the words "rules of the" in order to clarify the intent of this provision. Rule 304(h)(1) has been amended, as well, to clarify the intent of the provision.

New Rule 304.12 is proposed to provide an alternate means for compliance with the Exchange's examination of books and records requirement for approved persons (proposed in Rule 304(h)) by permitting on-site inspection of books and records for foreign situated approved persons to be conducted by independent professionals where on-site inspection by the Exchange would be contrary to local law or custom. A person deemed independent of the approved person who is an enrolled attorney or counsellor at law of the country of domicile of the approved person ("independent person") or an appropriate government official of the place of domicile would have to provide an attestation that such inspection would be contrary to law or generally accepted business practice before the alternate examination procedure would be permitted to be utilized. The examination and certification to the Exchange of the examination results must be accomplished by an "independent person" or a person deemed independent of the approved person who is recognized in the place of domicile as an auditor.

Rule 311(b) has been amended to rescind the requirement that a majority of the directors of a member corporation be members or allied members to allow member corporations greater discretion is selecting directors. Inside directors would still be required to be members or allied members and outside directors would have to become approved persons.

Rule 312(e) has been amended to incorporate standards by which an exception to the requirement that "no person shall be a member or allied member in a member organization unless all persons required to be approved by the Exchange are so approved" could be permitted.

NYSE Statement of the Basis Under the Act for Adoption of the Proposed Amendments

The following is added to this section of the filing as indicated.

(i) The proposed amendment to Rule 304.12 establishing an alternate means for compliance with on-site examination of books and records requirements by foreign domiciled approved persons is consistent with Section 6(b)(1) of the Act. The amendment will permit the Exchange to fulfill its responsibility to enforce compliance by persons associated with members with the Act, the rules and regulations thereunder, and the rules of the Exchange where on-site Exchange examination is inconsistent with local law or custom.

(ii) The recission of the requirement that a majority of the directors of a member corporation be members or allied members (Rule 311(b)(1)), and the deletion of "Investment advisor" from the proposed definition of "engaged in a securities or kindred business" (Rule 2) are consistent with Section 6(b)(2) of the Act in that the ability of a person to become associated with a member or member organization will be enhanced.

(In addition, the standards for becoming or remaining a member, allied member or approved person incorporated in the amendments to Rules 304(a), 304(b)(1) and 312(e), are consistent with Section 6(b)(2) of the Act in that standards for becoming associated with a member or member organization are established in accordance with the provisions of Section 6(c) of the Act.

The above constitute the only changes to File No. SR-NYSE-77-13 and Amendment No. 1 thereto.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submission will be available for inspection and copying in the Public Reference Room, 1100 L Street, NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before March 13, 1980.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Dated: February 12, 1980.

George A. Fitzsimmons,
Secretary.

[FR Doc. 80-5261 Filed 2-20-80; 8:45 am]
BILLING CODE 8010-01-M

[Release No. 34-16575; File No. SR-Amex-79-21]

American Stock Exchange, Inc.; Self-Regulatory Organization; Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on December 4, 1979 the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

Statement of the Terms of Substance of the Proposed Rule Change

The American Stock Exchange proposed to amend Rule 471 regarding business expansion restrictions and business reduction requirements, as set forth below. (Material indicated by [brackets] is proposed to be deleted; *underlined* material is proposed to be added.)

Business Expansion Restrictions and Business Reduction Requirements

Rule 471. (a) A member organization which carries customer accounts shall not expand its business during any period in which any of the following conditions *continue to* exist [for more than 15 consecutive business days], *which period will commence the later of (i) 15 consecutive business days after the condition exists, or (ii) 5 consecutive business days after the member organization has known or been advised by the Exchange of such condition:*

(i) Its net capital is less than 150 percent of its minimum requirement or such greater percentage as may from time to time be prescribed by the Exchange, or

(ii) If subject to this requirement, its aggregate indebtedness is more than 1,000 per centum of its net capital, or

(iii) If in lieu of (ii) above, the specified percentage of the aggregate debit items in the Formula for Determination of Reserve Requirements for Brokers and Dealers under SEC Rule 15c3-3 (the alternative net capital requirement) is applicable, its net capital is less than 7 percent of the aggregate debit items thereunder, or

(iv) Capital withdrawals including maturities scheduled during the next six

months would result in the condition described in (i), (ii) or (iii) above, or

(v) The Exchange restricts the member organization.

(b) A member organization which carries customer accounts shall forthwith reduce its business to a point enabling its available capital to meet the standards of paragraph (a) [if for more than 15 consecutive business days], *commencing the later of (i) 15 consecutive business days after any of the following conditions continue to exist, or (ii) 5 consecutive business days after the member organization has known or been advised by the Exchange of such condition:*

(i) Its net capital is less than 125 percent of its minimum requirement or such greater percentage as may from time to time be prescribed by the Exchange, or

(ii) If subject to this requirement, its aggregate indebtedness is more than 1,200 per centum of its capital, or

(iii) If in lieu of (ii) above, the specified percentage of the aggregate debit items in the Formula for Determination of Reserve Requirements for Brokers and Dealers under SEC Rule 15c3–3 (the alternative net capital requirement) is applicable, its net capital is less than 6 percent of the aggregate debit items thereunder, or

(iv) Capital withdrawals including maturities scheduled during the next six months would result in the condition described in (i), (ii) or (iii) above, or

(v) The Exchange restricts the member organization.

Statement of Basis and Purpose

The basis and purpose of the foregoing rule change is as follows: Rule 471 authorizes the Exchange to impose certain restrictions on a member organization experiencing capital difficulties, but which is not yet in violation of Rule 470, the Exchange's net capital rule (which incorporates by reference SEC Rule 15c3–1, the uniform net capital rule). Rule 471(a) prohibits a member organization which carries customer accounts from *expanding* its business during any period in which any of five specified conditions relating to its capital position exist for more than 15 consecutive business days. Rule 471(b) requires a member organization to *reduce* its business to the extent necessary for its available capital to meet the standards of Rule 471(a), if any of five other, more serious, conditions exist for more than 15 consecutive business days.[1]

Normally, a member organization discovers a capital problem within 15 days after it arises and attempts to rectify the problem within this period. However, under Rule 471, if the existence of a specified condition is for some reason not discoveed by the member organization until after the 15-day period, the member organization must immediately comply with the applicable business restriction, even though additional capital may be readily available to correct the condition once it is discovered. This aspect of the rule imposes an unnecessary hardship.

The proposed amendment to Rule 471 would allow a member organization at least five business days to take corrective action after the condition is discovered. The amendment, which is similar to a change made recently by the New York Stock Exchange and approved by the Commission, imposes the restrictions of Rule 471(a) and (b) as soon as one or more of the specified conditions has existed for more than 15 days, provided that the member organization has known or been advised by the Exchange of such condition at least five business days previously.[2]

The proposed amendment is consistent with Section 6(b) of the Act in general and furthers the objectives of Section 6(b)(1) and 6(b)(5) of the Act in particular in that it enables the Exchange to enforce compliance by its members with Exchange and SEC financial responsibility rules and provides for the protection of investors and the public interest.

Comments Received From Members, Participants or Others on Proposed Rule Change

No comments were solicited or received with respect to the proposed rule change.

Burden on Competition

The proposed amendment, by relaxing the restrictive operation of Rule 471, will enhance competition since the applicable restrictions will now not take effect as quickly, thereby allowing member firms to avoid unnecessary interruptions of their operations.

On or before March 27, 1980, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer periods to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the commission will:

(A) by order approve such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted on or before March 13, 1980.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

February 14, 1980.

[FR Doc. 80–5389 Filed 2–20–80; 8:45 am]

BILLING CODE 8010–01–M

[1] The two sets of conditions are set forth in subparagraphs (a)(i)–(v) and (b)(i)–(v) of Rule 471—see above.

[2] The amendment to NYSE Rule 326 (approved by SEC Release No. 34–16113 dated August 20, 1979), imposes the rule's restrictions as soon as one or more conditions has existed for more than 15 days, provided such condition has been known to the Exchange for at least five consecutive business days.

Boston Stock Exchange, Inc.; Applications for Unlisted Trading Privileges and of Opportunity for Hearing

February 13, 1980.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f–1 thereunder, for unlisted trading privileges in the following stocks:

American Stores Company, common stock, $1 Par Value (File No. 7–5133);
Burns (R.L.) Corp., common stock, $.10 Par Value (File No. 7–5153);
Executive Industries, Inc., common stock, $.125 Par Value (File No. 7–5154);
Federal Resources Corp., common stock, $.50 Par Value (File No. 7–5155);
Financial Federation Inc., capital stock, $1 Par Value (File No. 7–5156);
Frigitronics Inc., common stock, $.10 Par Value (File No. 7–5157);
Fuqua Industries Inc., common stock, $1 Par Value (File No. 7–5158);
GDV Inc., common stock, $1 Par Value (File No. 7–5159);
General American Oil Co. of Texas, common stock, $1 Par Value (File No. 7–5160);

General Exploration Co., common stock, $1 Par Value (File No. 7-5161);
Genstar Ltd., common stock, No Par Value (File No. 7-5162);
Gerber Products Co., common stock, $2.50 Par Value (File No. 7-5163);
Golden West Financial Corp., common stock, $.10 Par Value (File No. 7-5164);
Granger Associates, capital stock, $1 Par Value (File No. 7-5165);
Great Basins Petroleum Co., common stock, $.40 Par Value (File No. 7-5166);
Grow Group, Inc., common stock, $.10 Par Value (File No. 7-5167);
Guardian Industries Corp., common stock, $1 Par Value (File No. 7-5168);
Harrah's, common stock, $.50 Par Value (File No. 7-5169);
Hecla Mining Co., common stock, $.25 Par Value (File No. 7-5170);
Heileman (G) Brewing Co., Inc., common stock, $1 Par Value (File No. 7-5171);
House of Fabrics, Inc. (Del.), common stock, No Par Value (File No. 7-5172);
Humana Inc., common stock, $.16⅔ Par Value (File No. 7-5173);
International Banknote Co., Inc., common stock, $1 Par Value (File No. 7-5174);
Interstate Power Co., common stock, $3.50 Par Value (File No. 7-5175);
Iowa-Illinois Gas & Electric Co., common stock, $1 Par Value (File No. 7-5176);
IPCO Corp., common stock, $1 Par Value (File No. 7-5177);
Kaiser Steel Corp., common stock, $.66⅔ Par Value (File No. 7-5178);
Keene Corp. (N.Y.), common stock, $.10 Par Value (File No. 7-5179);
Lehman Corp. (The), capital stock, $1 Par Value (File No. 7-5180);
Lennar Corp., common stock, $.10 Par Value (File No. 7-5181);
Macrodyne Industries, Inc., common stock, $.10 Par Value (File No. 7-5182);
Marshall Field & Co., common stock, $1 Par Value (File No. 7-5183);
Measurex Corp., common stock, No Par Value (File No. 7-5184);
Mesa Petroleum Co., common stock, $1 Par Value (File No. 7-5185);
Mission Investment Trust, shares of beneficial interest, $1 Par Value (File No. 7-5186);
Mitchell Energy & Development Corp., common stock, $.10 Par Value (File No. 7-5187);
Narco Scientific, Inc., common stock, $1 Par Value (File No. 7-5188);
New Idria, Inc., capital stock, $.50 Par Value (File No. 7-5189);
Nortek, Inc., common stock, $1 Par Value (File No. 7-5190);
Northwest Energy Co., common stock, $1 Par Value (File No. 7-5191);
Oklahoma Natural Gas Co., common stock, No Par Value (File No. 7-5192);
Pacific Lumber Co. (The), common stock, $1⅙ Par Value (File No. 7-5193);
Pargas Inc., common stock, $1 Par Value (File No. 7-5194);
Piedmont Aviation, common stock, $1 Par Value (File No. 7-5195);
Presley Companies (The), common stock, $.25 Par Value (File No. 7-5196);
RLC Corp., common stock, $1 Par Value (File No. 7-5197);
Republic Corp., common stock, $2.50 Par Value (File No. 7-5198);
Royal Crown Companies Inc., common stock, $1 Par Value (File No. 7-5200);
Sabine Corp., common stock, No Par Value (File No. 7-5201);
Seatrain Lines Inc., capital stock, $1 Par Value (File No. 7-5202);
Shapell Industries Inc., common stock, $1 Par Value (File No. 7-5203);
Shearson Loeb Rhoades Inc., common stock, $.10 Par Value (File No. 7-5204);
Southeastern Public Service Co., common stock, $1 Par Value (File No. 7-5206);
Specialty Restaurants Corp., common stock, $1 Par Value (File No. 7-5205);
Standard-Pacific Corp., common stock, $.25 Par Value (File No. 7-5207);
Sterling Corp., common stock, $.10 Par Value (File No. 7-5208);
Transco Companies, Inc., common stock, $.50 Par Value (File No. 7-5210);
Tubos de Acero de Mexico, S.A., ADR's common, 50 Mexican Pesos Par Value (File No. 7-5211);
Tyler Corp., common stock, $.10 Par Value (File No. 7-5212);
United Foods, Inc., common stock, $1 Par Value (File No. 7-5213);
Univar Corp., common stock, $.33⅓ Par Value (File No. 7-5214);
Washington Gas Light Co., common stock, No Par Value (File No. 7-5215);
Westcoast Transmission Co., Ltd., common stock, No Par Value (File No. 7-5216);
Wheeling-Pittsburgh Steel Corp., common stock, $10 Par Value (File No. 7-5217); and
Zurn Industries, Inc., common stock, $.50 Par Value (File No. 7-5218).

These securities are listed and registered on one or more other national securities exchanges.

Interested persons are invited to submit on or before March 13, 1980, written data, views and arguments concerning the above-referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the Commission will approve the applications if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-5399 Filed 2-20-80; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-16578; Filed No. SR-CBOE-80-2]

Chicago Board Options Exchange, Inc.; Self-Regulatory Organizations; Proposed Rule Changes

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice hereby is given that on January 29, 1980 the Chicago Board Options Exchange, Incorporated, filed with the Securities and Exchange Commission the following proposed rule changes. They implement the Uniform Code of Arbitration (Code), created by the Securities Industry Conference on Arbitration (SICA), as Chicago Board Options Exchange, Incorporated, (Exchange) Rules 18.3 through 18.33.

Exchange' Statement of Basis and Purpose

Proposed rules 18.3 through 18.33 are the Uniform Code of Arbitraion created by SICA to assure the prompt and fair handling of claims. The Securities and Exchange Commission has reviewed the Code. Each SICA participant, including this Exchange, is in the process of formally submitting the Code to the Commission pursuant to Section 19(b) of the Securities Exchange Act of 1934 and Rule 19b-4 thereunder. Proposed rules 18.1 and 18.2 are changed in order to cover Exchange arbitration procedures not covered by the Code.

The addition to Rules 18.1 (a) and (b) requires the approval of the Exchange's Director of Arbitration in connection with the submission of a member or nonmember claim; this requirement ensures that the claim is suitable for arbitration and that the Exchange has jurisdiction of the claim. New section (c) of Rule 18.1 provides for the review by the Board of Directors or a panel of the Board of Directors of such decisions made by the Director of Arbitration. Old section (c) is omitted to eliminate from matters subject to arbitration, employment disputes betwen members and their employees. Finally, Interpretation and Policy .03 is omitted because the time and place of hearing are determined under proposed Rule 18.16.

Rule 18.2 provides procedures in member controversies for the selection of arbitrators by the chairman of the arbitration committee and the use of a reasonable number of peremptory challenges. It also applies the provisions of the Uniform Arbitration Code to member controversies where those provisions are applicable.

The proposed rule changes are part of an industry-wide attempt to provide a

fair, efficient, and relatively inexpensive method of settling disputes in order to protect investors and the public interest and to promote just and equitable principles of trade pursuant to section 6 (b) (5) of the Securities Exchange Act of 1934.

No comments on these proposed rule changes were solicited or received by the Exchange.

The Exchange does not believe that the proposed rule changes will impose any burden on competition.

On or before March 27, 1980, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room; 1100 L Street, NW., Washington, D.C. Copies of such filing also will be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before March 13, 1980.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

February 14, 1980.

[FR Doc. 80-5394 Filed 2-20-80; 8:45 am]

BILLING CODE 8010-01-M

Cincinnati Stock Exchange; Application for Unlisted Trading Privileges and of Opportunity for Hearing

February 13, 1980.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the following stocks:

AMP Incorporated, common stock, No Par Value (File No. 7-5450);
Bally Manufacturing Corporation, common stock, $.66⅔ Par Value (File No. 7-5451);
Black & Decker Manufacturing Company (The), common stock, $.50 Par Value (File No. 7-5452);
Fluor Corporation, common stock, $.62½ Par Value (File No. 7-5453);
Hewlett-Packard Company, common stock, $1 Par Value (File No. 7-5454);
Homestake Mining Company, common stock, $1 Per Value (File No. 7-5455);
International Flavors & Fragrances Incorporated, common stock, $.12½ Par Value (File No. 7-5456);
International Minerals & Chemical Corporation, common stock, $5 Par Value (File No. 7-5457);
Johnson & Johnson, common stock, $2.50 Par Value (File No. 7-5458);
Kerr-McGee Corporation, common stock, $1 Par Value (File No. 7-5459);
MGIC Investment Corporation, common stock, $1 Par Value (File No. 7-5460);
National Semiconductor Corporation, common stock, $.50 Par Value (File No. 7-5461);
Skyline Corporation, common stock, $.277 Par Value (File No. 7-5462);
Squibb Corporation, common stock, $1 Par Value (File No. 7-5463);
Storage Technology Corporation, common stock, $.10 Par Value (File No. 7-5464);
Tandy Corporation, common stock, $1 Par Value (File No. 7-5465);
Thompson (J. Walter) Company, common stock, $.10 Par Value (File No. 7-5466);
Williams Companies, common stock, $1 Par Value (File No. 7-5467);
Houston Oil & Mineral Corporation, common stock, $.10 Par Value (File No. 7-5468); and
Syntex Corporation, common stock, $1 Par Value (File No. 7-5469).

These securities are listed and registered on one or more other national securities exchanges.

Interested persons are invited to submit on or before March 13, 1980, written data, views and arguments concerning the above-referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549, Following this opportunity for hearing, the Commission will approve the applications if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-5400 Filed 2-20-80; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 11049; File No. 812-4613]

Eberstadt Asset Management, Inc., and Eberstadt Fund Management, Inc.; Filing of Application and Order of Temporary Exemption Pending Determination of the Application

February 15, 1980.

Notice is hereby given that Eberstadt Asset Management Inc. ("EAM") and Eberstadt Fund Management Inc. ("EFM"), 61 Broadway, New York, New York 10006, their officers, directors and employees (hereafter also called "Applicants") have filed an application pursuant to Section 9(c) of the Investment Company Act of 1940, 15 U.S.C. 80a-1, *et seq.*, as amended (the "Act") for an order exempting them from the provisions of Section 9(a) of the Act, to the extent such section is applicable, and have requested that the Commission grant a temporary exemption from Section 9(a) pending the Commission's determination of the application for permanent exemption. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Applicants are Delaware corporations engaged in the business of advising investment companies and corporate pension and profit sharing plans.

In March 1978, EAM (then called F. Eberstadt & Co., Inc. ("Eberstadt")) and EFM (then called F. Eberstadt & Co., Managers & Distributors, Inc. ("M&D")) were named as co-defendants in Civil Action No. 78-1055 brought by the Commission in the United States District Court for the Southern District of New York (the "action"). Eberstadt acted as financial advisers to Sun Company, Inc. in connection with the private purchases by LHIW, Inc., a wholly-owned subsidiary of Sun, of approximately 34% of the outstanding common stock of Becton, Dickinson and Company in January 1978. The Commission's complaint alleges, *inter alia*, that LHIW's purchases were not made in compliance with Section 14(d) of the Securities Exchange Act of 1934 (the "Exchange Act") and that certain defendants constituted a "group" prior to January 1978 which violated Section 13(d) of the Exchange Act by failing to file a timely Schedule 13D in connection therewith. The trial on the issue of

liability was completed and the court held, *inter alia*, that Eberstadt and M&D had violated Section 13(d), and that Eberstadt had aided and abetted violations of Section 14(d) of the Exchange Act, and that Eberstadt had violated and M&D had aided and abetted violation of Sections 17(d) and 17(e) of the Investment Company Act of 1940 (the "Act").

Applicants entered into a stipulation of settlement with the Commission and agreed to the entry by the court of an order terminating the action against them with prejudice and requiring them to comply with the stipulation of settlement (the "Order").

Section 9(a) of the Act, insofar as is pertinent here, disqualifies any person, or any company with which such person is affiliated, from acting in the capacity of employee, officer, director, member of any advisory board, investment adviser, or depositor for any registered investment company, or principal underwriter for any registered open-end company, registered unit investment trust, or registered face-amount certificate company, if such person is by reason of any misconduct enjoined by any court of competent jurisdiction from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security. EAM and EFM do not concede that the Order would disqualify them under Section 9(a).

Section 9(c) provides that upon application the Commission shall grant an exemption from the provisions of Section 9(a) either unconditionally or on an appropriate temporary or other conditional basis if it is established that the prohibitions of Section 9(a), as applied to the applicant, are unduly or disproportionately severe or that the conduct of such person has been such as not to make it against the public interest or protection of investors to grant such application.

EAM and EFM have submitted pursuant to Section 9(c) that the prohibitions of Section 9(a) of the Act, to the extent they may be applicable to them by virtue of the entry of the Order, would be unduly and disproportionately severe as applied to them and that their conduct was not such as to make it against the public interest or protection of investors to grant this exemption. In support thereof, EAM and EFM represented that:

(i) The opinion of the court on liability dealt with complex and uncertain areas of the law and constituted in major respects a case of first impression. Applicants relied throughout the transactions at issue on the advice of independent and competent counsel.

(ii) Applicants have never been enjoined, permanently or temporarily, by order, judgment or decree of a court of competent jurisdiction from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security.

(iii) EAM and EFM have never before applied for an exemption from the provisions of Section 9(a) of the Act.

(iv) Subsequent to the events and transactions which gave rise to Civil Action No. 78–1055, Eberstadt underwent a complete reorganization including a change in ownership and the divestiture of its brokerage and investment banking business. Eberstadt's investment advisory businesses, renamed EAM and EFM, were acquired by and are now controlled by Marsh & McLennan Asset Management Company, whose affiliates include other registered investment companies and advisers. Because of this sale and change of ownership, the prohibitions of Section 9(a) would operate against the financial interests of parties not involved in the events and transactions which gave rise to the Order.

(v) The prohibitions of Section 9(a) would unjustifiably deprive EAM & EFM and affiliated persons of their ability to act as investment advisers for investment companies, a line of business which EFM and affiliates have been successfully engaged in many years. Applicants and companies affiliated with them manage billions of dollars of funds. The prohibitions of Section 9(a) would cause extreme and undue hardship and disruptions to those persons and entities who have entrusted the management of their funds to Applicants and their affiliates.

(vi) EAM and EFM have relied on the Commission's staff's agreement to recommend a temporary exemption from the prohibitions of Section 9(a) in entering into a settlement of the action.

The Commission has considered the matter and finds that:

(1) The prohibitions of Section 9(a), to the extent they may be applicable, may be unduly or disproportionately severe as applied to EAM and EFM in that their conduct has been such as not to make it against the public interest or protection of investors to grant the application for a temporary exemption from Section 9(a) pending determination of the application; and

(2) in order to maintain the uninterrupted services provided by EAM and EFM and affiliated persons to regulated investment companies and other managed accounts, it is necessary and appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act that the temporary order be issued forthwith.

Accordingly, it is ordered, Pursuant to Section 9(c) of the Act, that EAM and EFM including their directors, officers, and employees, be and they are hereby temporarily exempted from the provisions of Section 9(a) of the Act pending final determination by the Commission of EAM's and EFM's application for an order exempting them from the provisions of Section 9(a) of the Act, to the extent they may be applicable.

Notice is further given that any interested person may not later than March 17, 1980 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Willkie Farr & Gallagher, One Citicorp Center, 153 East 53rd Street, New York, New York 10022. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided in Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80–5396 Filed 2–20–80; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 11048; 812-4523]

Finance Co. of Pennsylvania; Filing of Application Exempting a Proposed Transaction From the Prohibitions

February 14, 1980.

Notice is hereby given that The Finance Company of Pennsylvania ("Applicant"), 7 East Lancaster Avenue, Ardmore, Pennsylvania 19003, an open-end, non-diversified investment company registered under the Investment Company Act of 1940 ("Act"), filed an application on August 23, 1979, and an amendment thereto on January 30, 1980, for an order, pursuant to Section 17(b) of the Act, exempting from the prohibitions of Section 17(a) of the Act Applicant's sale of 5.175 shares of Common Stock ("Shares") to South Chester Tube Company ("South Chester") for $5,806,350 in cash and a note. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

The application states that South Chester is a Pennsylvania corporation which conducts its operations through its two wholly-owned subsidiaries, principally through Southco, Inc., and to a much lesser extent through Tacony Industrial Park, Inc. Southco, Inc.'s principal business is the manufacture and sale of specialty industrial fasteners. Tacony Industrial Park, Inc.'s principal asset is an industrial park which it leases to other parties. South Chester's presently issued and outstanding Common Stock consists of 20,000 shares, $50 par value, each share having identical rights and privileges. There are no other classes of stock of South Chester issued and outstanding.

Applicant states that the Shares owned by it represent approximately 25.875 percent of South Chester's presently outstanding Common Stock and represent approximately 35.66 percent of Applicant's total assets as of June 30, 1979. Applicant admits that since it owns more than 5 percent of the presently outstanding shares of South Chester Common Stock, Applicant and South Chester are deemded to be affiliated persons of each other under Section 2(a)(3) of the Act. Furthermore, Applicant admits that since persons who own more than 5 percent of Applicant's outstanding Common Stock also own Common Stock of South Chester, the proposed transaction does not qualify for the exemption provided by Rule 17a-6 under the Act.

Applicant submits that in 1977, South Chester initially approached Applicant regarding a possible purchase by South Chester of up to 4,000 shares of South Chester's Common Stock for $735 per share, which shares South Chester proposed to transfer to a subsidiary's employee stock ownership plan. Because the Shares constituted such a significant percentage of Applicant's total assets and Applicant's investment policy contemplates that no more than 25 percent of the value of its portfolio shall be invested in the securities of one issuer, Applicant states that it seriously considered South Chester's proposal. However, no agreement between Applicant and South Chester regarding the sale of any of the Shares was concluded in 1977.

In 1978, Applicant submits that it attempted to interest a third party in purchasing the Shares and to enlist the aid of other South Chester stockholders in voting for the sale of South Chester's assets to a third party. Due to the opposition of other South Chester stockholders, Applicant states that it was not successful in these efforts. Also during 1978, Applicant states that it received preliminary inquiries from various parties concerning the purchase of the South Chester shares owned by Applicant, but no definitive offers were received. Applicant represents that at this time it first became apparent to Applicant that none of these potential purchasers was interested in any transaction other than one involving substantially all of South Chester's Common Stock or substantially all of its assets. Applicant submits that since it lacked the power to effect such a transaction and since the Board of Directors of South Chester was not willing to enter into such a transaction, for all practical purposes the only likely purchaser for the Shares was South Chester.

Because of Applicant's continuing belief that the sale of the Shares to South Chester was the only viable means for disposition of the Shares at a fair price, negotiations between Applicant and South Chester resumed in the Spring of 1979, and resulted in the execution of a Stock Purchase Agreement ("Agreement") dated July 24, 1979. Applicant states that the Agreement was authorized and approved by the respective Boards of Directors of Applicant and South Chester.

The Agreement provides that Applicant will sell, and South Chester will purchase, the Shares for an aggregate consideration of $5,806,350, or $1,122 per share. The Agreement further provides for alternative payment terms. Under alternative (a) if Applicant receives an opinion from its investment adviser or an independent investment banking firm that the value of the South Chester note will not exceed 25 percent of the value of Applicant's total assets on the closing date, Applicant will obtain (i) a cash payment in the amount of $1,740,000 at closing (just under 30 percent of the total consideration in order that the transaction can qualify as an installment sale for Federal income tax purposes), and (ii) the delivery of South Chester's promissory note in the principal amount of $4,066,350, with interest payable quarterly at the rate of 9½ percent per annum on the principal amount from time to time outstanding and with the principal amount payable in an installment of $1,591,350 on January 15, 1981, and installments of $825,000 on January 15 of each of the years 1982, 1983 and 1984.

Under alternative (b) if Applicant's investment adviser or an independent investment banking firm is not able to furnish the opinion referred to in (a) above, Applicant will obtain (i) a cash payment of $2,506,350 at the closing (plus such additional amount but not in excess of $250,000 as is necessary to reduce the principal amount of the note hereinafter described to an amount not in excess of 25 percent of the value of Applicant's total assets on the date of closing), and (ii) the delivery of South Chester's promissory note in the principal amount of $3,300,000 (assuming no portion of the $250,000 is paid), with interest payable quarterly at the rate of 9½ percent per annum on the principal amount from time to time outstanding and with the principal amount payable in four equal installments on January 15th of each of the years 1981, 1982, 1983 and 1984 (with provision for decrease in the first maturing installment by an amount equal to the amount of any increase in the intital cash payment).

Applicant states that consummation of the sale of the Shares is conditioned, among other things, upon receipt of (1) an order from the Commission exempting the sale from the provisions of Section 17(a) of the Act; (2) an opinion of special counsel to Applicant, or rulings from the Internal Revenue Service if deemed advisable by such special counsel, to the effect that (i) the sale will not adversely affect Applicant's present status as a regulated investment company for Federal income tax purposes, (ii) the proceeds from the sale will qualify for capital gains treatment for Federal income tax purposes, and (iii) if payment alternative (a) in the preceding paragraph becomes operative, the sale will be treated as an installment sale for Federal income tax purposes; and (3) an opinion of counsel

to South Chester as to certain other specified matters.

Applicant represents that since there is no trading market for the Shares, its Board of Directors has traditionally established a fair value for the Shares. Applicant states that as of June 30, 1979, this fair value was $5,516,550 or $1,066 per share. Likewise, Applicant states that its investment adviser, as of May 2, 1979, valued the Shares at $1,066 per share. Those valuations included a 25 percent reduction based on the illiquidity of the issue.

Applicant further represents that it retained Janney Montgomery Scott, an independent investment banking firm, to advise it on the possible sale and the fairness of any price negotiated for the Shares by Applicant and South Chester. Applicant states that by letter dated August 8, 1979, the investment banking firm stated its opinion that $1,122 per share represents a fair price for the Shares. Applicant also submits that Coopers & Lybrand arrived at a valuation of $1,122 per share, primarily based upon earnings multiples from the specialty fastener industry (South Chester's primary business).

Applicant admits that the valuation of securities is, of course, not an exact science. Applicant states that based upon (i) the limited opportunities for sale available to Applicant; (ii) the independent judgment of Applicant's Board of Directors; and (iii) the professional investment advice received by Applicant and South Chester, the price it will receive for the Shares and the terms upon which such price will be paid are fair.

Applicant states that because South Chester was willing to entertain the transaction only on the basis that all of the Shares would be sold at the Closing, it initially sought payment of the entire purchase price in cash at the time the Shares were to be sold. Applicant states that South Chester refused this request, citing its need to conserve cash for anticipated expansion and its normal working capital requirements. Applicant believes that it was prudent to receive interest on the installments until paid at the rate of 9½%, particularly since this interest income would be effectively replacing dividends on the Shares, which have been recently yielding approximately 5%. Applicant states that the interest rate was negotiated at the end of June, 1979 and the parties agreed to a rate equal to that paid by General Motors Acceptance Corporation ("GMAC") with respect to its notes having a three-to-five year maturity sold most recent to the end of the week preceding June 25, 1979. Both Applicant and South Chester believe that the interest rate selected was fair to both parties in that the GMAC rate was representative of interest rates then being paid for borrowings on a medium term basis by highly creditworthy borrowers. Applicant recognizes that although GMAC and South Chester are in different businesses (a finance company versus a manufacturing company), Applicant feels that the interest rate negotiated is an appropriate recognition of South Chester's ability to make the installment payments as and when they become due. Applicant represents that South Chester presently has no indebtedness outstanding. Nevertheless, Applicant submits that the note will become immediately due and payable if the retained earnings of South Chester as of the close of any calendar quarter are less than 200% of the unpaid principal balance of the note.

Applicant represents that the South Chester note will be carried in Applicant's financial statements at a fair value as determined by Applicant's Board of Directors. Applicant further represents that the Board of Directors expects to be advised on this question by its investment adviser or an independent investment banking firm selected by it, which will utilize accepted valuation techniques consistent with Applicant's policy for the valuation of securities. Such fair value will be determined as of the date of issuance of this note and from time to time in the future depending upon prevailing interest rates which cannot now be predicted.

Section 17(a) of the Act provides, in pertinent part, that it is unlawful for any affiliated person of a registered investment company, or an affiliated person of such a person, acting as principal, knowingly to sell any security or other property to, or knowingly to purchase any security or other property from, such registered company. Section 17(b) of the Act provides, however, that the Commission, upon application, shall exempt a transaction from such prohibition if evidence established that the terms of the proposed transaction, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned, and that the proposed transaction is consistent with the policy of each registered investment company concerned and with the general purposes of the Act.

Applicant asserts that the terms of the proposed transaction are fair and reasonable, and that the $1,122 per share purchase price for the Shares is a fair and reasonable price based on the appraisals of the Shares by Applicant's investment adviser, Janney Montgomery Scott, and Coopers & Lybrand. Furthermore, Applicant believes that the proposed transaction is consistent with the policy of Applicant and with the general purposes of the Act and is in Applicant's best interests in that it will enable Applicant to diversify its assets and more closely adhere to its stated investment policies. Accordingly, Applicant requests that an order of exemption be granted under Section 17(b) of the Act with respect to the proposed transaction.

Notice is further given that any interested person may, not later than March 10, 1980, at 5:30 p.m., submit to the Commission in writing, a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-5397 Filed 2-20-80; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-16577; File No. SR-MSE-79-18, Amdt. #5]

Midwest Stock Exchange, Inc.; Self-Regulatory Organizations; Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L.

No. 94–29, 16 (June 4, 1975), notice is hereby given that on February 13, 1980, the above-mentioned self-regulatory organization ("SRO") filed with the Securities and Exchange Commission amendments to proposed rule changes as follows:

SRO's Statement of the Terms of Substance of the Proposed Rule Change

The following are proposed amendments to MSE's rules that reflect the uniform response to a joint SRO Task Force to certain recommendations of the SEC Options Study. This filing includes several proposed amendments that were not included in the original filing (SR–MSE–79–18),[1] and it also includes some revisions to proposals that were previously filed. Where applicable, bracketing and italics identify changes from the rules as set forth in the original filing.

Securities Accounts and Orders of Market Makers

Article XLVII

Rule 11. (a) No change from original filing.

(b) No change from original filing.

(c) No change from original filing.

. . . Interpretations and Policies:

.01 No change from original filing.

.02 No change from original filing.

.03 No change from original filing.

.04 No change from original filing.

.05 No change from original filing.

.06 Reports of accounts and orders required to be filed pursuant to paragraphs (a) and (b) of this Rule relate only to accounts in which a Market-Maker, individually, directly or indirectly, controls trading activities *or has a direct interest in the profits or losses of such accounts.* Thus, reports would be required for accounts over which a Market-Maker exercises investment discretion as well as for his proprietary accounts. [Reports would not be required simply because a Market-Maker has a passive interest in his firm's proprietary accounts.] For purposes of this Rule, related securities include securities convertible into or exchangeable for underlying securities.

Article XLVIII

Opening of Accounts

Rule 3. (a) No change from original filing.

(b) No change from original filing.

(c) No change from original filing.

(d) No change from original filing.

(e) No change from original filing.

. . . Interpretations and Policies:

.01 In fulfilling its obligations pursuant to paragraph (b) of this Rule with respect to options customers that are natural persons, a member organization shall seek to obtain the following information at a minimum (information shall be obtained for all participants in a joint account):

1. No change from original filing.
2. No change from original filing.
3. No change from original filing.
4. No change from original filing.
5. No change from original filing.
6. No change from original filing.
7. No change from original filing.
8. No change from original filing.

In addition, the customer's account records shall contain the following information, if applicable:

a. No change from original filing.

b. No change from original filing.

c. No change from original filing.

d. *Nature and* [T] *types of* transactions for which account is approved (e.g., buying, covered writing, uncovered writing, spreading, discretionary transactions).

e. No change from original filing.

f. No change from original filing.

g. No change from original filing.

The member organization should consider utilizing a standard account approval form so as to ensure the receipt of all the required information.

.02 No change from original filing.

.03 No change from original filing.

Article XLVIII

Statements of Accounts *to Customers*

Rule 11. [Statements of account shall be sent not less frequently than once every month to each customer in whose account there has been an entry during the preceding month with respect to an option contract. The statement shall bear a legend requesting the customer to promptly advise the member of any material change in the customer's investment or objectives or financial situation.] *Every member organization shall send to its customers statements of account showing security and money positions, entries, interest charges and any special charges that have been assessed against such account during the period covered by the statement; provided, however, that such charges need not be specifically delineated on the statement if they are otherwise accounted for on the statement and have been itemized on transaction confirmations. With respect to options customers having a general (margin) account, such statement shall also provide the mark-to-market price and market value of each options position and other security position in the general (margin) account, the total market value of all positions in the account, the outstanding debit or credit balance in the account, and the general (margin) account equity. The statement shall bear a legend stating that further information with respect to commissions and other charges related to the execution of listed option transactions has been included in confirmations of such transactions previously furnished to the customer, and that such information will be made available to the customer promptly upon request. The statement shall also a bear a legend requesting the customer to promptly advise the member of any material change in the customer's investment objectives or financial situation. Such statements of account shall be sent at least quarterly to all accounts having a money or a security position during the preceding quarter and at least monthly to all accounts having an entry during the preceding month.*

. . . Interpretations and Policies:

.01 For purposes of the foregoing rule, general (margin) account equity shall be computed by subtracting the total of the "short" security values and any debit balance from the total of the "long" security values and any credit balance.

Article XLVIII

Supervision of Accounts

Rule 4. (a) [Delete paragraph (a) from original filing.] *Duty to Supervise; Senior Registered Options Principal. Every member organization shall develop and implement a written program for the review of the organization's non-member customer accounts and all orders in such accounts, insofar as such accounts and orders relate to option contracts. This program shall be under the supervision of a designated Senior Registered Options Principal who is specifically identified to the Exchange and who is an officer (in the case of a corporation) or general partner (in the case of a partnership) of the member organization.*

(b) No change from original filing.

(c) No change from original filing.

(d) No change from original filing.

. . . Interpretations and Policies:

.01 No change from original filing.

.02 No change from original filing.

.03 Each member organization shall maintain, at the principal supervisory office having jurisdiction over the office servicing the customer's account, information to permit review of each customer's options account on a timely basis to determine (i) the compatibility

[1] Notice of filing of the proposed rule changes was given by publication of a Commission release (Securities Exchange Act Release No. 16254, October 5, 1979) and by publication in the **Federal Register** (44 FR 59974, October 17, 1979).

of options transactions with investment objectives and with the types of transactions for which the account was approved; (ii) the size and frequency of options transactions; (iii) commission activity in the account; (iv) profit or loss in the account; (v) undue concentration in any option class or classes; and (vi) compliance with the provisions of Regulation T of the Federal Reserve Board.

Article XIII

Communications to Customers

Rule 4. (a) General Rule. No member or member organization *or person associated with a member* [, and no partner or employee thereof,] shall utilize any advertisement, sales literature or other communications to *any* customer[s] or *member of* the public concerning options which:

(i) No change from original filing.
(ii) No change from original filing.
(iii) No change from original filing.
(iv) No change from original filing.
(v) No change from original filing.

(b) No change from original filing.
(c) No change from original filing.
(d) No change from original filing.
(e) No change from original filing.
. . . Interpretations and Policies:
.01 The special risks attendant to options transactions and the complexities of certain options investment strategies shall be reflected in any *advertisement or sales literature* [communications] which discusses the uses or advantages of options. *All advertisements and sales literature discussing the use of options should include a warning to the effect that options are not for everyone.* In the preparation of *written* communications respecting options, the following guidelines should be observed:

A. No change from original filing.

B. It should not be suggested that options are suitable for all investors. [All communications discussing the use of options should include the warning to the effect that options are not for everyone.]

C. No change from original filing.

.02 No change from original filing.

.03 Written communications (other than advertisements) pertaining to options shall conform to the following standards:

A. [Such communications] *Sales literature* shall state that supporting documentation for any claims (including any claims made on behalf of options programs or options expertise of sales persons), comparisons, recommendations, statistics or other technical data, will be supplied upon request.

B. No change from original filing.

C. Such communications may feature records and statistics which portray the performance of past recommendations or of actual transactions *of the member organization (but not of an individual Registered Representative)*, provided that:

(i) any such portrayal *is done in a balanced manner, and consists of records or statistics that are* [must be] confined to a specific "universe" that can be fully isolated and circumscribed and that covers at least the most recent 12-month period;

(ii) such communications include [or offer to provide] the date of each initial recommendation or transaction as of such date, and the date and price of each recommendation or transaction at the end of the period or when liquidation was suggested or effected, whichever was earlier; *provided that if the communications are limited to summarized or averaged records or statistics, in lieu of the complete record there may be included the number of items recommended or transacted, the number that advanced and the number that declined, together with an offer to provide the complete record upon request;*

(iii) No change from original filing.

[(iv) in the event such records or statistics are summarized or averaged such communications include the number of items recommended or transacted, the number that advanced and the number that declined;]

[(v)] *(iv)* No change from original filing.

[(vi)] *(v)* No change from original filing.

[(vii)] *(vi)* No change from original filing.

D. No change from original filing.

E. No change from original filing.

F. If a member organization has adopted a standard form of worksheet for a particular options strategy, non-standard worksheets for that strategy may not be used.

[F.] *G.* No change from original filing.

Educational Circular Under Article VIII, Rule 7

Front-Running of Blocks

This educational circular presents the Exchange's enforcement policy with respect to certain practices generally referred to as "front-running of blocks". Because a block transaction in an underlying security may have an impact on the market for that security or the options covering that security (or vice versa), the Exchange would be concerned if its members were to engage in the practice of trading in options or in underlying securities when they are in possession of material non-public information concerning block transactions in these securities. In keeping with its responsibility to assure the fairness of its market, the Exchange wishes to emphasize that this kind of activity on the part of market professionals is conduct inconsistent with just and equitable principles of trade and will be dealt with in enforcement proceedings under Chapter XVII.

Although it is not possible to provide an all-inclusive definition of front-running in all of its forms, the Exchange believes that it is important to provide standards describing the kind of conduct that will not be permitted, both in order to provide guidance for members and to avoid interfering with entirely legitimate transactions that do not involve front-running. For this purpose, the Exchange has prepared this educational circular discussing the kind of conduct involving the front-running of blocks that would be considered to be in violation of Article VIII, Rule 7. It must be recognized that the following discussion of prohibited conduct is not exclusive, and that conduct not specificially described in this circular may nonetheless constitute front-running that comes wih the broad prohibition of Article VIII, Rule 7. Although this circular concentrates on proprietary trading of members, front-running violations may also occur in certain agency situations, such as where a member passes on non-public information concerning block transactions to a customer who then trades on the basis of the information.

The Exchange considers it to be conduct inconsistent with just and equitable principles of trade in violation of Rule Article VIII, Rule 7 for a member or person associated with a member for an account in which such member or person has an interest, or for an account with respect to which such member or person exercises investment discretion, to cause to be executed:

(1) an order to buy or sell an option when such member or person causing such order to be executed has knowledge of a block transaction in the underlying security, or

(2) an order to buy or sell an underlying security when such member or person causing such order to be executed has knowledge of a block transaction in an option covering that security,

prior to the time information concerning the block transaction has been made publicly available. Front-running may be based upon knowledge of less than

all of the terms of the transaction, so long as there is knowledge that all of the material terms of the transaction have been or will imminently be agreed upon. Notwithstanding the foregoing, if a member firm receives at or about the same time a customer's order of block size relating to both an option and the underlying security, the member may position the other side of one or both components of the order, subject to applicable exchange rules governing crosses. However, the member firm would not be able to cover any resulting proprietary position by entering an offsetting order until information concerning all block transactions involved has been made publicly available.

The application of this circular is limited to transactions that are required to be reported on the last sale reporting systems administered by CTA or OPRA, and information as to a block transaction shall be considered to be publicly available when it has been disseminated via the tape or high speed communication line of one of those systems. Public outcry on the Exchange Floor shall not be deemed to make such information publicly available except in unusual circumstances with the advance approval of two Floor Officials.

A transaction involving 10,000 shares or more of an underlying security or options covering such number of shares shall be conclusively deemed to be a block transaction, although transactions of less than 10,000 shares may also be block transactions in appropriate cases. A block transaction that has been agreed upon does not lose its identity as such by arranging partial execution of the transaction in portions which themselves are not of block size. In this situation, the requirement that information concerning the transaction be made publicly available will not be satisfied until the entire block transaction has been completed and publicly reported.

Effectiveness Timetable

Rule	Number of days following Commission approval [1]
3(a) of Article XLVIII [2]	30 days.
3(b), (c), (d), and (e) of Article XLVIII.	30 days for initial verification; 60 days for subsequent verification.
11 of Article XLVIII	180 days.
5(b) of Article XLVIII	30 days.
14 of Article XLVIII	60 days.
4(a) of Article XLVIII	30 days.
4(b) of Article XLVIII	90 days.
4(c) of Article XLVIII	90 days.
4.01 of Article XLVIII	90 days.
16 of Article VIII	30 days.
7 of Article XII	Immediately.
4(a) of Article XIII	Immediately.
4(b) of Article XIII	90 days; until then approval under present 4(a).

Effectiveness Timetable—Continued

Rule	Number of days following Commission approval [1]
4(c), (d), (e) of Article XIII	Immediately.
2(a) of Article L	60 days.
2(b) of Article L	Immediately.
2(c) of Article L	60 days.
11(b), (c) of Article XLVIII	60 days.
"Front-running" circular	Immediately.
4(d) of Article XLVIII	90 days.
6(a) of Article XLVIII	60 days.
6(b) of Article XLVIII	90 days.

[1] The Exchange may grant members additional time to comply with certain of these rules on a case-by-case basis, but no extension of time will be granted for more than 6 months after the effectiveness of the rule in question as stated in this table. In granting or denying requests for extensions of time the Exchange will act jointly with other self-regulatory organizations that have comparable rules insofar as the requesting parties are members of the Exchange and such other SROs.

[2] Within 12 months following their effectiveness as stated in this table, Rules 3(a), (b), (d) and (e) of Article XLVIII must be complied with in respect of customers' accounts that were approved for options transactions prior to the effectiveness of these rules in order for those accounts to remain so approved.

SRO's Statement of Basis and Purpose

The basis and purpose of the foregoing proposed rule change is as follows:

This amendment to the original filing (SE–MSE–79–18) is for the purpose of proposing rules amendments in response to certain recommendations of the Special Study of Options Markets that were not addressed in the original filing, as well as proposing certain editorial and minor substantive amendments to previously filed proposals.

The statutory basis for all of these proposed rule changes remains as stated in the original filing. The purpose of each of the substantive proposed rule changes included in this filing is as follows:

Rule 3, Article XLVIII The minimum information that must be reflected in customers account records has been expanded to include whether the account is approved for discretionary orders.

Rule 11, Article XLVIII In response to Options Study Recommendation 1.A.2.a., we propose to revise Rule 11 to expand the information which member organizations must disclose in the statement sent to customers having a general (margin) account. By limiting this requirement to margin accounts, the information will be furnished to most options customers without imposing undue burdens on member firms. The proposal will require that statements of margin accounts sent to such customers reflect the mark-to-the-market price and market value for all security positions in the account, the total of market value of all positions in the account, the debit (or credit) balance, and account equity. We have defined general (margin) account equity in proposed Interpretation .01 to Rule 11 as the difference between the total of long security values, including any credit balance, and the total of short security values, including any debit balance.

Finally, we propose to require a legend on account statements to the effect that information concerning commissions and other charges has been included in confirmations, and will be furnished to customers upon request.

Rule 4, Article XLVIII Options Study recommendation 1.A.2.e. calls for the adoption of rules requiring that the headquarters office of every options broker-dealer be in a position to timely review each customer's account to determine the extent of commissions and realized and unrealized losses relative to account equity, the existence of usual credit extensions and unusual account risks or trading patterns.

In response, Rule 4 is proposed to be revised to impose in explicit terms the obligation for firms to develop and implement headquarters account review procedures, and to impose record-keeping requirements to facilitate such review. Recognizing the decentralized supervisory structure which many large securities firms have adopted, the proposed amendment is keyed to review by the "principal supervisory office having jurisdiction over the officer supervising the customer's account."

Rule 4, Article XIII The proposed rule amendments as previously filed regarding customer communications have been modified in certain respects. First, the general rule regarding customer communications in paragraph (a) of the Rule has been clarified to cover communications by persons associated with member organizations and to apply to communications with an individual customer or member of the public. Also, the applicability of the various standards of the rule to different categories of communications (advertising, sales literature and other communications) has been further clarified to emphasize that representations concerning past performance must be made in a balanced manner and must pertain to the member organization as a whole. Representations concerning the past performance of a particular registered representative are, thus, prohibited. We have also added specific requirements concerning the furnishing of supporting detail whenever statements involving past performance are made. Finally, a new requirement has been added to Interpretation .02 to Rule 4 barring the use of non-standard options worksheets where a member organization has

adopted a standard form of worksheet for a particular options strategy.

SRO's Statement on Burden on Competition

MSE does not believe that the rule changes proposed in this Amendment No. 5 to File No. SR–MSE–79–18 will impose any burdens on competition.

SRO's Statement on Comments Received

MSE does not believe that the rule changes proposed in this Amendment No. 5 to File No. SR–MSE–79–18 will impose any burdens on competition.

Comments on rule changes previously proposed were summarized in MSE's prior filing SR MSE–79–18. Editorial revisions to those proposals reflected herein were not submitted to members for comments. Comments on proposed rule changes presented herein for the first time were solicited in response to a preliminary draft of the proposals that were mailed to member firms.

Date of Effectiveness of Proposed Rule Change and Timing for Commission Action

On or before March 27, 1980, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding, or (ii) as to which the above-mentioned self-regulatory organization consents the Commission will:

(a) By order approve such proposed rule change, or

(b) Institute proceedings to determine whether the proposed rule change should be disapproved.

Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street, NW., Washington D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before March 13, 1980.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

February 14, 1980.

[FR Doc. 80-5390 Filed 2-20-80; 8:45 am]

BILLING CODE 8010-01-M

Midwest Stock Exchange, Inc.; Applications for Unlisted Trading Privileges and of Opportunity for Hearing

February 13, 1980.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f–1 thereunder, for unlisted trading privileges in the following stocks:

McDonnell Douglas Corp., common stock, $1 Par Value (File No. 7–5219);
TRE Corp., common stock, $1 Par Value (File No. 7–5220);
United Merchants & Manufacturers, Inc., common stock, $1 Par Value (File No. 7–5221);
Unarco Industries Inc., common stock, $2.50 Par Value (File No. 7–5222);
Wometco Enterprises, Inc., Class A common stock, $1 Par Value (File No. 7–5223);
West Point-Pepperell, Inc., common stock, $5 Par Value (File No. 7–5224);
Warnaco Inc., common stock, No Par Value (File No. 7–5225);
Westcoast Transmission Co. Ltd., capital stock, No Par Value (File No. 7–5226);
Advanced Micro Devices Inc. common stock, $.01 Par Value (File No. 7–5227);
Allergan Pharmaceuticals, Inc., common stock, No Par Value (File No. 7–5228);
American Century Mortgage Investors, Shs. Ben. Int., No Par Value (File No. 7–5229);
American Heritage Life Investment Corp., common stock, $1 Par Value (File No. 7–5230);
American Savings & Loan of Florida, common stock, $.50 Par Value (File No. 7–5231);
Amsted Industries Inc., common stock, $1 Par Value (File No. 7–5232);
Analog Devices Inc., common stock, $.16⅔ Par Value (File No. 7–5233);
Appalachian Power Company, common stock, No Par Value (File No. 7–5234);
Armstrong Rubber Company, common stock, $1 Par Value (File No. 7–5235);
Arrow Electronics, Inc., common stock, $1 Par Value (File No. 7–5236);
Aydin Corporation, common stock, $1 Par Value (File No. 7–5237);
AVX Corporation, common stock, $1 Par Value (File No. 7–5238);
Baldor Electric Co., common stock, $.10 Par Value (File No. 7–5239);
Banner Industries, Inc., common stock, $.10 Par Value (File No. 7–5240);
Barry Wright Corporation, common stock, $1 Par Value (File No. 7–5241);
Barnett Banks of Florida, Inc., common stock, $2 Par Value (File No. 7–5242);
Bay Colony Properties Company, Shs. Ben. Int., No Par Value (File No. 7–5243);
Bearings, Inc., common stock, No Par Value (File No. 7–5244);
Beker Industries Corporation, common stock, $.3⅓ Par Value (File No. 7–5245);
Bell Industries, common stock, No Par Value (File No. 7–5246);
Binney & Smith Inc., common stock, $2.50 Par Value (File No. 7–5247);
Biscayne Federal Savings & Loan Association, capital shs., .01 Par Value (File No. 7–5248);
BT Mortgage Investors, Shs. Ben. Int., $.50 Par Value (File No. 7–5249);
R. L. Burns Corporation, common stock, $.10 Par Value (File No. 7–5250);
Butler International, Inc., common stock, $1 Par Value (File No. 7–5251);
Cannon Mills Company, common stock, $5 Par Value (File No. 7–5252);
Cameron-Brown Investment Group, Shs. Ben. Int., No Par Value (File No. 7–5253);
Carnation Company, common stock, $2 Par Value (File No. 7–5254);
Cenco Incorporated, common stock, $1 Par Value (File No. 7–5255);
Chelsea Industries, Inc., common stock, $1 Par Value (File No. 7–5256);
Century Telephone Enterprises, Inc., common stock, $1 Par Value (File No. 7–5257);
Cincinnati Bell, Inc., common stock, $25 Par Value (File No. 7–5258);
Citizens & Southern Realty Investors, Shs. Ben. Int., $1 Par Value (File No. 7–5259);
The Christiana Companies, Inc., common stock, $1 Par Value (File No. 7–5260);
CNA Income Shares, Inc., common stock, $1 Par Value (File No. 7–5261);
Coachmen Industries, Inc., common stock, No Par Value (File No. 7–5262);
Comdisco, Inc., common stock, $.10 Par Value (File No. 7–5263);
Computervision Corporation, common stock, $.05 Par Value (File No. 7–5264);
Community Psychiatric Centers, common stock, $1 Par Value (File No. 7–5265);
Community Public Service Company, common stock, $10 Par Value (File No. 7–5266);
Connecticut General Insurance Corporation, common stock, $2.50 Par Value (File No. 7–5267);
Connecticut General Mortgage & Realty Investments, Shs. Ben. Int., No Par Value (File No. 7–5268);
Connecticut Natural Gas Corporation, common stock, $6.25 Par Value (File No. 7–5269);
Conoco, Inc., common stock, $5 Par Value (File No. 7–5270);
Conwood Corporation, common stock, $8⅓ Par Value (File No. 7–5271);
Cook United, Inc., common stock, $1 Par Value (File No. 7–5272);
Cooper Industries, Inc., common stock, $5 Par Value (File No. 7–5273);
Corroon & Black Corporation, common stock, $.25 Par Value (File No. 7–5274);
CP National Corporation, common stock, $5 Par Value (File No. 7–5275);
Cyclops Corporation, common stock, $1 Par Value (File No. 7–5276);
Daniel Industries, Inc., common stock, $2.50 Par Value (File No. 7–5277);
Datapoint Corporation, common stock, $.25 Par Value (File No. 7–5278);

Data Terminal Systems, Inc., common stock, $.20 Par Value (File No. 7–5279);
Deltec International Limited, ADR, $1 Par Value (File No. 7–5280);
Dennison Manufacturing Company, common stock, $5 Par Value (File No. 7–5281);
Dial Corporation, common stock, No Par Value (File No. 7–5282);
Documation Inc., common stock, $.01 Par Value (File No. 7–5283);
Diversified Mortgage Investors, Inc., common stock, $1 Par Value (File No. 7–5284);
Donaldson Company, Inc., common stock, $.10 Par Value (File No. 7–5285);
Dynamics Corporation of American, common stock, $.10 Par Value (File No. 7–5286);
Edwards (A. G.) & Sons, Inc., common stock, $1 Par Value (File No. 7–5287);
Elcor Corporation, common stock, $1 Par Value (File No. 7–5288);
Equitable Life Mortgage & Realty Investors, Shs. Ben. Int., $1 Par Value (File No. 7–5289);
Essex Chemical Corporation, common stock, $1 Par Value (File No. 7–5290);
Family Dollar Stores, Inc., common stock, $.10 Par Value (File No. 7–5291);
Federal Express Corporation, common stock, $.10 Par Value (File No. 7–5292);
Fleming Companies, Inc., common stock, $2.50 Par Value (File No. 7–5293);
Filmways, Inc., common stock, $.25 Par Value (File No. 7–5294);
Financial Corporation of America, common stock, $.50 Par Value (File No. 7–5295);
First Union Real Estate Equity & Mortgage Inv., Shs. Ben. Int., $1 Par Value (File No. 7–5296);
First Pennsylvania Mortgage Trust, Shs. Ben. Int., $1 Par Value (File No. 7–5297);
Foremost-McKesson, Inc., common stock, $2 Par Value (File No. 7–5298);
Fotomat Corporation, common stock, $.10 Par Value (File No. 7–5299);
Four-Phase Systems, Inc., common stock, $.04 Par Value (File No. 7–5300);
Fox-Stanley Photo Products, Inc., common stock, $1 Par Value (File No. 7–5301);
Galveston-Houston Company, common stock, $.33⅓ Par Value (File No. 7–5302);
General Growth Properties, Shs. Ben. Int., $1 Par Value (File No. 7–5303);
General Care Corporation, common stock, $.10 Par Value (File No. 7–5304);
Geosource, Inc., common stock, $1 Par Value (File No. 7–5305);
GK Technologies, Inc., common stock, $1 Par Value (File No. 7–5306);
GMR Properties, common stock, No Par Value (File No. 7–5307);
Gray Drug Stores, Inc., common stock, $1 Par Value (File No. 7–5308);
Great Lakes International, Inc., common stock, No Par Value (File No. 7–5309);
Great Northern Iron Ore Properties, Ctfs Ben. Int., No Par Value (File No. 7–5310);
Grow Group, Inc., common stock, $.10 Par Value (File No. 7–5311);
Growth Realty Companies, Shs. Ben. Int., $1 Par Value (File No. 7–5312);
Guardian Industries Corporation, common stock, $1 Par Value (File No. 7–5313);
Hajoca Corporation, common stock, $1 Par Value (File No. 7–5314);
Hartfield Zody's Inc., common stock, $1 Par Value (File No. 7–5315);
Heath Tecna Corporation, common stock, No Par Value (File No. 7–5316);
Hoover Universal, Inc., common stock, $1 Par Value (File No. 7–5317);
Hi-Shear Industries, common stock, $.10 Par Value (File No. 7–5318);
Huffy Corporation, common stock, $1 Par Value (File No. 7–5319);
Hubbard Real Estate Investment, Shs. Ben. Int., No Par Value (File No. 7–5320);
Hudson Bay Mining & Smelting Co. Ltd., Class A common stock, No Par Value (File No. 7–5321);
INA Investment Securities, Inc., common stock, $.10 Par Value (File No. 7–5322);
Institutional Investors Trust, Shs. Ben. Int., No Par Value (File No. 7–5323);
International Aluminum Corporation, common stock, $1 Par Value (File No. 7–5324);
Jamesway Corporation, common stock, $1 Par Value (File No. 7–5325);
Kaiser Steel Corporation, common stock, $.66⅔ Par Value (File No. 7–5326);
KLM Royal Dutch Airlines, common stock, 100 Dutch Gildens (File No. 7–5327);
Kollmorgen Corporation, common stock, $2.50 Par Value (File No. 7–5328);
Koger Properties, Inc., common stock, $.10 Par Value (File No. 7–5329);
Keystone International Inc., common stock, $1 Par Value (File No. 7–5330);
Kenilworth Realty Trust, Shs. Ben. Int., $1 Par Value (File No. 7–5331);
Kuhlman Corporation, common stock, $1 Par Value (File No. 7–5332);
Lanier Business Products, Inc., common stock, $1 Par Value (File No. 7–5333);
La Quinta Motor Inns, Inc., common stock, $.10 Par Value (File No. 7–5334);
Lear Petroleum Corporation, common stock, $.10 Par Value (File No. 7–5335);
Lee Enterprises, Inc., common stock, $2 Par Value (File No. 7–5336);
Leggett & Platt, Inc., common stock, $1 Par Value (File No. 7–5337);
LITCO Bancorporation of New York, Inc., common stock, $5 Par Value (File No. 7–5338);
Lifemark Corporation, common stock, $.01 Par Value (File No. 7–5339);
Lomas & Nettleton Mortgage Investors, Shs. Ben. Int., No Par Value (File No. 7–5340);
Lowe's Companies, Inc., common stock, $.50 Par Value (File No. 7–5341);
Ludlow Corporation, common stock, No Par Value (File No. 7–5342);
MacMillian Bloedel Limited, common stock, No Par Value (File No. 7–5343);
Manhattan Life Corporation, common stock, $2 Par Value (File No. 7–5344);
Management Assistance, Inc., common stock, $.40 Par Value (File No. 7–5345);
Mark Controls Corporation, common stock, $1 Par Value (File No. 7–5346);
MassMutual Mortgage & Realty Investors, Shs. Ben. Int., No Par Value (File No. 7–5347);
McDonough Company, common stock, $1 Par Value (File No. 7–5348);
Measurex Corporation, common stock, No Par Value (File No. 7–5349);
Mesa Royalty Trust, Shs. Ben. Int., No Par Value (File No. 7–5350);
Medtronic, Inc., common stock, $.10 Par Value (File No. 7–5351);
Memorex Corporation, common stock, $1 Par Value (File No. 7–5352);
Mercantile Texas Corporation, common stock, $5 Par Value (File No. 7–5353);
Mesabi Trust, Ctfs. Ben. Int., No Par Value (File No. 7–5354);
Metro-Goldwyn-Mayer Inc., common stock, No Par Value (File No. 7–5355);
Midland Mortgage Investors Trust, Shs. Ben. Int., No Par Value (File No. 7–5356);
McMoRan Oil & Gas Co., common stock, $1 Par Value (File No. 7–5357);
Miller-Wohl Company, Inc., common stock, $.50 Par Value (File No. 7–5358);
Milton Roy Company, common stock, $1 Par Value (File No. 7–5359);
Minnesota Power & light Company, common stock, No Par Value (File No. 7–5360);
MONY Mortgage Investors, common stock, $.50 Par Value (File No. 7–5361);
Mortgage Trust of America, Shs. Ben. Int., $1 Par Value (File No. 7–5362);
Napco Industries, Inc., common stock, $1 Par Value (File No. 7–5363);
National Liberty Corporation, common stock, $1 Par Value (File No. 7–5364);
Newell Companies, Inc., common stock, $1 Par Value (File No. 7–5365);
NCNB Corporation, common stock, $2.50 Par Value (File No. 7–5366);
Newcorp Inc., common stock, $1 Par Value (File No. 7–5367);
Newpark Resources, common stock, $1 Par Value (File No. 7–5368);
North America Mortgage Investors, Shs. Ben. Int., No Par Value (File No. 7–5369);
New England Nuclear Corporation, common stock, $1 Par Value (File No. 7–5370);
Northern California Savings & Loan Association, capital stock, No Par Value (File No. 7–5371);
Northrop Corporation, common stock, $1 Par Value (File No. 7–5372);
Orion Capital Corporation, common stock, $1 Par Value (File No. 7–5373);
Outlet Company, common stock, No Par Value (File No. 7–5374);
Overhead Door Corporation, common stock, $1 Par Value (File No. 7–5375);
Pacific Lumber Co., common stock, $1⅓ Par Value (File No. 7–5376);
Pacific Northwest Bell Telephone Company, common stock, $11 Par Value (File No. 7–5377);
Pacific Scientific, common stock, $1 Par Value (File No. 7–5378);
Penn Central Corp., common stock, $1 Par Value (File No. 7–5379);
Pengo Industries, Inc., common stock, $.25 Par Value (File No. 7–5380);
Perkin-Elmer Corporation, common stock, $1 Par Value (File No. 7–5381);
Pertec Computer Corporation, common stock, $.10 Par Value (File No. 7–5382);
PennCorp Financial, Inc., common stock, $.50 Par Value (File No. 7–5383);
Petroleum & Resources Corporation, common stock, $1 Par Value (File No. 7–5384);
PHH Group, Inc., common stock, No Par Value (File No. 7–5385);
Prime Motor Inns, Inc., common stock, $.05 Par Value (File No. 7–5386);
Pogo Producing Company, common stock, $1 Par Value (File No. 7–5387);
Plantronics, Inc., common stock, $1 Par Value (File No. 7–5388);

PNB Mortgage & Realty Investors, Shs. Ben. Int., $1 Par Value (File No. 7-5389);
Prime Computer, Inc., common stock, $.0125 Par Value (File No. 7-5390);
Public Service Company of New Hampshire, common stock, $5 Par Value (File No. 7-5391);
Presley Companies, common stock, $.1875 Par Value (File No. 7-5392);
Puritan Fashions Corporation, common stock, $1 Par Value (File No. 7-5393);
RB Industries, Inc., common stock, No Par Value (File No. 7-5394);
Realty ReFund Trust, Shs. Ben. Int., No Par Value (File No. 7-5395);
RES Investment Corporation, common stock, $2.50 Par Value (File No. 7-5396);
Republic Mortgage Investors, Shs. Ben. Int., No Par Value (File No. 7-5397);
RLC Corporation, common stock, $1 Par Value (File No. 7-5398);
Rolm Corporation, common stock, $.085 Par Value (File No. 7-5399);
Ryan Homes, Inc., common stock, No Par Value (File No. 7-5400);
Saul (B. F.) Real Estate Investment Trust, Shs. Ben. Int., $10 Par Value (File No. 7-5401);
SCA Services, Inc., common stock, $1 Par Value (File No. 7-5402);
Scientific-Atlanta, Inc., common stock, $.50 Par Value (File No. 7-5403);
Sealed Air Corporation, common stock, $.01 Par Value (File No. 7-5404);
SEAFIRST Corporation, common stock, $5 Par Value (File No. 7-5405);
Security Pacific Corporation, common stock, $10 Par Value (File No. 7-5406);
Shaklee Corporation, common stock, No Par Value (File No. 7-5407);
Shell Transport & Trading Company, Ltd., NY Shs. for 4 Ord. Shs., 5 S Sterling (File No. 7-5408);
Snap-on Tools Corporation, common stock, $1 Par Value (File No. 7-5409);
Southwest Gas Corp., common stock, $1 Par Value (File No. 7-5410);
South Atlantic Financial Corporation, common stock, No Par Value (File No. 7-5411);
Spectra-Physics, Inc., capital stock, $.20 Par Value (File No. 7-5412);
Southwest Airlines Company, common stock, $1 Par Value (File No. 7-5413);
Standard Motor Products, Inc., Class A capital stock, $2 Par Value (File No. 7-5414);
Standard Pacific Corporation, common stock, $.25 Par Value (File No. 7-5415);
Sta-Rite Industries, Inc., common stock, $2 Par Value (File No. 7-5416);
State Mutual Investors, Shs. Ben. Int., No Par Value (File No. 7-5417);
Sun Electric Corporation, common stock, $1 Par Value (File No. 7-5418);
TeleCom Corporation, common stock, $1 Par Value (File No. 7-5419);
Texas Industries, Inc., common stock, $1 Par Value (File No. 7-5420);
Teradyne, Inc., common stock, $1.25 Par Value (File No. 7-5421);
Texfi Industries, Inc., common stock, $1 Par Value (File No. 7-5422);
Thomas Industries, Inc., common stock, $1 Par Value (File No. 7-5423);
Tidewater Inc., common stock, $1 Par Value (File No. 7-5424);
Toys "R" US, Inc., common stock, $1 Par Value (File No. 7-5425);
Transamerica Income Shares, Inc., common stock, $1 Par Value (File No. 7-5426);
Toro Company, common stock, $1 Par Value (File No. 7-5427);
Tokheim Corporation, common stock, $1 Par Value (File No. 7-5428);
Tri-South Mortgage Investors, Shs. Ben. Int., No Par Value (File No. 7-5429);
Trico Industries, Inc., common stock, $.50 Par Value (File No. 7-5430);
Twin Disc, Inc., common stock, No Par Value (File No. 7-5431);
Tymshare, Inc., common stock, No Par Value (File No. 7-5432);
Tosco Corporation, common stock, $.15 Par Value (File No. 7-5433);
UMET Trust, Shs. Ben. Int., $1 Par Value (File No. 7-5434);
Unilever Limited, Am. Shs. Rep. Ord. Sh. (File No. 7-5435);
Unilever N.V., 20 Gilder Par Ord. Shs. (File No. 7-5436);
US Air, Inc., common stock, $1 Par Value (File No. 7-5437);
U.S. Realty Investments, Shs. Ben. Int., No Par Value (File No. 7-5438);
Veeco Instruments, Inc., common stock, $1 Par Value (File No. 7-5439);
Van Dorn Company, common stock, No Par Value (File No. 7-5440);
Vulcan, Inc., common stock, No Par Value (File No. 7-5441);
Wabash, Inc., common stock, No Par Value (File No. 7-5442);
Wachovia Realty Investments, Shs. Ben. Int., $1 Par Value (File No. 7-5443);
Walker (Hiram) Gooderham & Worts Limited, Class A & B common stock, No Par Value (File No. 7-5444);
Wells Fargo Mortgage & Equity Trust, Shs. Ben. Int., No Par Value (File No. 7-5445);
Wisconsin Power & Light Company, common stock, $5 Paf Value (File No. 7-5446);
Wyle Laboratories, common stock, No Par Value (File No. 7-5447);
Wyly Corporation, common stock, $.10 Par Value (File No. 7-5448); and
Zero Corporation, common stock, $1 Par Value (File No. 7-5449).

These securities are listed and registered on one or more other national securities exchanges.

Interested persons are invited to submit on or before March 13, 1980, written data, views and arguments concerning the above-referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the Commission will approve the applications if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-5401 Filed 2-20-80; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-16581; File No. SR-NSCC-80-3]

National Securities Clearing Corp.; Self-Regulatory Organizations; Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s (b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on February 8, 1980, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

Statement of the Terms of Substance of the Proposed Rule Change.

The proposed rule change, which shall only be effective until one year from the date of publication in the **Federal Register** (February 23, 1981), is as follows:

Rule 5 Section 4

The Corporation may, in its discretion, require Settling Members to provide appropriate staff in their offices during specified hours on non-clearing days when such is deemed necessary by the Corporation to insure the integrity of its systems and/or for the protection of the Corporation.

Statement of Basis and Purpose

The basis and purpose of the foregoing proposed rule change is as follows:

To facilitate the daily flow of work through our Settling Members during periods of abnormally high trading volume or other emergency situations.

NSCC Rule 2 Section 3 provides that when NSCC approves an applicant for membership in NSCC, the applicant must (ii) demonstrate "that it has adequate personnel capable of handling transactions with the Corporation * * * and to meet the operational requirements of, the Corporation and other Settling Members with necessary promptness and accuracy and to conform to any condition and requirement which the Corporation reasonably deems necessary for its protection * * *."

The proposed rule states, with specificity, one of the means that NSCC has determined is appropriate, during exceptional times such as record volume days, to protect NSCC, to insure the integrity of its systems and to insure the prompt and accurate clearance and

Proof of identity will be required prior to affording an individual access to records. A military identification card, a driver's license, or similar document will be considered suitable identification.

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: National Agency Checks, background investigations, criminal investigations, interviews, records, checks, observations, statements.

Systems exempted from certain provisions of the act: Portions of this system of records may be exempt from disclosure under the provisions of 5 USC 552a (k)(2), which provides in part that investigatory material compiled for law enforcement purposes may be withheld from disclosure to the extent the identity of the source of the information would be revealed by disclosing the investigatory record, and the source has received an express promise that his identity would be held in confidence, or, prior to the effective date of this section, if the source received an implied promise that his identity would be held in confidence.

Portions of this system of records may be exempt from disclosure under the provisions of 5 USC 552a(k)(5) which provides, in part, that investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information may be withheld from disclosure but only to the extent that the disclosure of such material would reveal the identity of the source who furnished information to the Government under an express promise that the identity of the source would be held in confidence or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

Portions of this system of records may be exempt from disclosure under the pro- visions of 5 USC 552a (k)(7), which provide, in part, that evaluation material used to determine potential for promotion in the armed services may be withheld from dis- closure but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of a source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

DOT/CG 612.

System name: Port Security Card System. DOT/CG.

System location: Department of Transportation (DOT),
United States Coast Guard Headquarters (CG),
Commandant (G-OIS),
2100 2nd Street, SW,
Washington, DC 20593.
Records also also located at each District Office. See Appendix I for locations.

Categories of individuals covered by the system: Persons regularly employed on vessels and water front facilities, or persons having regular public or private business with the operation, maintenance, or administration of vessels and cargoes or waterfront facilities.

Categories of records in the system: Applications for port security cards awaiting processing.

Processed applications indicating those granted or denied port security cards.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Authorized Coast Guard officials to determine eligibility for issuance of Port Security Cards

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files, 3x5 cards.

Retrievability: By name.

Safeguards: Maintained in file cabinets in secure areas.

Personnel are screened prior to granting access.

Retention and disposal: Retained for 8 years, then destroyed by mutilating, shredding or burning.

System manager(s) and address: Chief, Office of Operations,
Department of Transportation,
United States Coast Guard Headquarters,
2100 2nd Street, SW,
Washington, DC 20593.

Notification procedure: Departemnt of Transportation,
United States Coast Guard Headquarters,
Commandant (G-CMA),
2100 2nd Street, SW,
Washington, DC 20593.
Written request must be signed by the individual.

Record access procedures: Procedures may be obtained by writing to or visiting Commandant (G-CMA) at the address in 'Notification Procedure' or the local Coast Guard District or unit office for the area in which the application was filed.

Proof of identity will be required prior to affording an individual access to records. A military identification card, a driver's license, or similar document will be considered sutitable identification.

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: Individual applications.

National Agency checks.
Other records already at Coast Guard Headquarters, if any.

Systems exempted from certain provisions of the act: Portions of this system of records may be exempt from disclosure under the provisions of 5 USC 552a(k)(2), which provide, in part, that investigatory material compiled for law enforcement purposes may be withheld from disclosure to the extent that the identity of the source of the information would be revealed by disclosing the investigatory record and the source has received an express guarantee that his identity would be held in confidence, or, prior to the effective date of this section, if the source received an implied promise that his identity would be held in confidence.

DOT/CG 622.

System name: Military Training and Education Records. DOT/CG.

System location: Department of Transportation (DOT), United States Coast Guard (CG), Commandant (G-PTE), 2100 2nd Street, SW, Washington, DC 20593. Records are also located at District and Headquarters Units. See Appendix I for locations.

Categories of individuals covered by the system: Coast Guard Military Personnel (Commissioned Officers, Commissioned Warrant Officers, Cadets, and Enlisted Personnel.)

Categories of records in the system: General Service Correspondence Course. Off-Duty Education Records. Professional Training Records. Non-traditional Educational Support Records. Achievement and Aptitude Test Results. Academic Performance Records. Correspondence Course Rate Advancement Records. Military Performance Records. Admissions Processing Records. Grade Reporting Records. Cadet Academic Status Records. Transcript Maintenance Records. Cadet Discipline Status Records. Military Personnel Records. Military Training Schedules Records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Evaluation and measurement of training performance. Statistical summaries. Input to personnel records. Partial criteria for selection and admission to service/professional schools. Partial criteria for selection to postgraduate education programs. Criteria for admission to the Coast Guard. Criteria for retention in service Schools. Criteria for promotion. The above information is used by authorized Coast Guard personnel in the performance of Official duties. See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders stored in file cabinets. Portions are stored on ADP equipment.

Retrievability: Retrieved by name, rate, class number, cadet code number, and Social Security Number.

Safeguards: Records are kept in file cabinets in offices that are locked during off-duty hours. Those records stored in ADP equipment may only be accessed through use of a user access code.

Retention and disposal: Personal History, Service History and School Conduct and Military Performance records are kept for one year. Academic and Correspondence Course records are kept for five years. Aptitude and Achievement Test results, as a part of Training and Education records, are kept for five years. Records are destroyed by mutilating, shredding or burning.

System manager(s) and address: Chief, Office of Personnel, Department of Transportation, United States Coast Guard Headquarters, 2100 2nd Street, SW, Washington, DC 20593.

Notification procedure: Department of Transportation, United States Coast Guard Headquarters, Commandant (G-CMA), 2100 2nd Street, SW, Washington, DC 20593. Written request must be signed by the individual.

Record access procedures: Procedures may be obtained by writing to or visiting (G-CMA) at the address in 'Notification Procedure', or by visiting the local activity where assigned for training. Prior written notification of personal visits is required to insure that the applicable record will be available. Proof of identity is required prior to release of records. A military identification card, driver's license, or similiar document will be considered suitable identification.

Contesting record procedures: Same as 'Record Access Procedures'.

Record source categories: Official military personnel records, test results, instructors and supervisors.

Systems exempted from certain provisions of the act: Portions of this system of records may be exempt from disclosure under the provisions of 5 U.S.C. 552a(k)(5), which provide, in part, that investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information may be withheld from disclosure but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the government under an express promise that the identity of the source would be held in confidence or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence. Portions of this system of records may be exempt from disclosure under the provisions of 5 U.S.C. 552a(k)(6), which provides, in part, that testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service may be withheld from disclosure to the extent that disclosure of these records would compromise the objectivity or fairness of the testing or examination process. Portions of this system of records may be exempt from disclosure under the provisions of 5 U.S.C. 552a(k)(7), which provide, in part, that evaluation material used to determine potential for promotion in the armed services may be withheld from disclosure but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the government under an express promise that the identity of a source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

DOT/CG 624.

System name: Personnel Management Information System (PMIS)

System location: Department of Transportation (DOT),
United States Coast Guard (CG),
Commandant (G-P),
2100 2nd Street, SW,
Washington, DC 20593.

Categories of individuals covered by the system: All regular Coast Guard personnel on active duty. All Reserve Coast Guard personnel on extended active duty and Reserve personnel on initial active duty for training.

Categories of records in the system: A single computer record which currently contains about 450 data elements on each member. Some data elements are used only for enlisted, others only for officers. The file contains personal information such as name, place of birth, rank, location, etc. The file also contains pay date elements which will form the basis for deriving pay entitlements for Coast Guard military personnel under the Joint Uniform Military Pay System (JUMPS).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The file is used to produce a number of reports used throughout the Coast Guard. Types of reports are:

Locator Listing for Headquarters and Districts,
Personnel Roster for the unit to assist in verifying information,
Number of personnel in pay grades for advancement levels and budget expenditures,
Current reports for this system of records are listed in the Reports Distribution Manual generated by the Coast Guard for this system,
Queires and batch processing are used to recruitment levels,
Various Coast Guard offices receive the locator listing and management reports,
Government agencies other than Coast Guard categories,
See prefatory statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The storage is on computer disks with tape backups. The file is updated once a week. Once a month the file is dumped to a tape file for historical purposes.

Retrievability: Retrieval from the system is by use of name or Social Security Number or a combination of personal and non-personal characteristics.

Users retrieve information direct from the file through card input or direct terminal access. Data elements to be retrieved and method of use are selected by the user.
An extract file containing summary records is produced monthly for use on a 'time sharing' system. Retrieval of information from this extract is by direct terminal access only. Data elements to be retrieved and method of use are selected by the user.

Safeguards: The computer provides privacy and access limitations by requiring a user name and password match. In addition each element of the file has its own level of accessability which must be held by the user. Only those staff components at Headquarters with a need to have access to the file are given user names and passwords. Access to the 'Time Share' extract is similarly controlled. The backup tapes and monthly dumps also have limited access in that users must justify the need before they are provided the tape numbers.

Retention and disposal: End-of-Year system backup tapes and day to day transaction tapes are retained indefinitely. Statistical and other report extract tapes are recycled into the system and consequently destroyed. Paper working files are disposed of in accordance with current record disposal instructions.

System manager(s) and address: Chief,
Office of Personnel,
Department of Transportation,
United States Coast Guard Headquarters,
2100 2nd Street, SW,
Washington, DC 20593.

Notification procedure: Inquiries should be directed to:
Department of Transportaion,
United States Coast Guard Headquarters,
Commandant (G-CMA),
2100 2nd Street, SW,
Washington, DC 20593.

Record access procedures: Procedure may be obtained by writing to or visiting Commandant (G-CMA) at the address in 'Notification Procedure'. Prior written notification of personal visits is requried to insure that the records will be available at the time of visit. Proof of identity will be required prior to release of records. A military identification card, driver's license or similar document will be considered suitable identification.

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: The data to update the file comes from copies of official service record entries prepared by field units. The data is entered on tape for update of the computer files.

DOT/CG 625.

System name: Officer Selection and Appointment System. DOT/CG.

System location: Department of Transportation (DOT),
United States Coast Guard (CG),
Commandant (G-PMR),
2100 2nd Street, SW,
Washington, DC 20593.
Records are also located at each District and Headquarters Unit. Use Appendix I for locations.

Categories of individuals covered by the system: Applicants for Coast Guard Officer Candidate School or direct commission programs of the Coast Guard.

Categories of records in the system: Information in the system is supplied by applicants and also by persons, other than the applicants, who submit information pertinent to the suitability of the applicants for commissioned service in the Coast Guard.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Officials and employees of the Coast Guard in the performance of their duties in managing and contributing to the recruitment and appointment of men and women for officer programs in the regular and reserve components of the Coast Guard.

The Attorney General of the United States or his authorized representatives in connection with litigation, fraudulent enlistment or other matters under the jurisdiction of such agencies.
Official employees of the Veterans Administration and Selective Service Administration in the performance of their official duties related to enlistment and reenlistment eligibility and related benefits.

The Senate or the House of Representatives of the United States or any committee or subcommittee on matters within their jurisdiction requiring disclosure of files or records of personnel covered by this system.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records are stored in file folders.

Retrievability: The system is indexed alphabetically by name of applicant and is retrieved by name.

Safeguards: Records kept in file cabinets locked after working hours.

Buildings have 24-hour security guards and limited access.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Application files for nonselected officer candidate applicants are destroyed after six months and nonselected applicants for direct commission are destroyed after one year. Files for all selected applicants are placed in the selectee's officer personnel folder.

System manager(s) and address: Chief, Office of Personnel,

Department of Transportation,
United States Coast Guard Headquarters,
2100 2nd Street, SW,
Washington, DC 20593.

Notification procedure: Department of Transportation,

United States Coast Guard Headquarters,
Commandant (G-CMA),
2100 2nd Street, SW,
Washington, DC 20593.

Record access procedures: Procedure may be obtained by writing to or visiting Commandant (G-CMA) at the address in 'Notification Procedure' or to the applicable Coast Guard District Office.

A letter request should contain full name, address, social security number, approximate date of application, and signature.

Proof of identification will consist of military identification card, driver's license or other official identification.

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: Coast Guard recruiting personnel and employee processing application.

Medical personnel conducting physical examination and private physicians providing consultations or patient history.
Character and employer references named by applicants.
Educational institutions, staff and faculty members.
Selective Service Commission.
Local state and Federal law enforcement agencies.
Prior or current military service record.
Commanding officer of Coast Guard unit, if active duty.
Coast Guard offices charged with personnel security clearance functions.
Other Coast Guard officials and employees in the performance of their official duties and as specified by current instructions and regulations promulgated by competent authority.

Systems exempted from certain provisions of the act: Portions of this system of records may be exempt from disclosure under the provisions of 5 USC 552a(k)(5), which provide, in part, that investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information may be withheld from disclosure but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

Portions of this system of records may be exempt from disclosure under the provisions of 5 USC 552a(k)(7), which provide, in part, that evaluation material used to determine potential for promotion in the armed services may be withheld from disclosure but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of a source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

DOT/CG 626.

System name: Official Officer Service Records. DOT/CG.

System location: Department of Transportation (DOT),

United States Coast Guard(CG),
Commandant (G-PO),
2100 2nd Street, SW,
Washington, DC 20593.

Certain records in the system are maintained at:
National Personnel Records Center,
9700 Page Boulevard,
St. Louis, MO 63132.

Portions of the official service record, e.g., health record, security status jacket and leave record are maintained at the officer's unit.

Categories of individuals covered by the system: All Commissioned officers of the Coast Guard on active duty, permanent or disability retired lists.

Regular officers whonesign and do not accept a Reserve commission.

Categories of records in the system: General file & service record card.

Fitness File & Officer Summary Records.
Medical File.
Medical History for officers on the Temporary Disability Retired List.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Fulfillment of normal administrative procedures including assignment, promotion, training, etc.

Physical Evaluation Boards.
Board for Correction of Military Records.
Answering of Congressional and personal inquiries initiated by the individual whose record is concerned.
Preparation of forms, statements, compilations and computations necessary in the daily personnel administration of each individual entering, reentering or leaving the Coast Guard.
(Routine personnel administration requires copies of this and other service record material to be included in administrative files physically separated from the record; however, the original of this material will be included in the official service record maintained at Coast Guard Headquarters).
Furnishing of information (authorized and specified by the individual concerned) to other agencies or individuals (specified by the individual concerned) normally concerned with employment, educational or veteran's benefits, claims or applications.
Furnishing specified material in an officer's service record pursuant to the order of a court of competent jurisdiction.
Used by:
Authorized Coast Guard Personnel.
Personnel from other Federal Agencies in the conduct of official business, as authorized by the Chief, Officer Personnel Division or his designated representative.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on paper and are assembled and filed in one official service record per member and stored on open shelf files in a room with controlled access.

Retrievability: Individual records are indexed and retrievable by name and/or last four digits of member's service number.

Safeguards: During working hours physical access to records is controlled by the Officer Records Branch (G-PO-4).

Records are maintained in a central storage area locked behind two separate doors during non-working hours in the building, which has roving and static security patrols.

Retention and disposal: Each individual record is maintained at Coast Guard Headquarters until three months after retirement/resignation, after which it is shipped to the:

National Personnel Records Center (Military Personnel Records),
9700 Page Boulevard,
St. Louis, MO 63132.

After the separation documents are received, records of Reserve Officers released from active duty and Regular Officers who resign and accept Reserve Commissions are sent to the Department of Transportation,
United States Coast Guard Headquarters.
2100 2nd Street, SW,
Washington, DC 20593.

System manager(s) and address: Chief, Office of Personnel,

Department of Transportation,

United States Coast Guard Headquarters,
2100 2nd Street, SW,
Washington, DC 20593.

Notification procedure: Inquiry requests for a determination as to whether this system contains records on an individual should be made by that individual, in person or in writing, to:

Department of Transportation,
United States Coast Guard Headquarters,
Commandant (G-CMA),
2100 2nd Street, SW,
Washington, DC 20593.
Requestors in person will be required to show a valid I.D. card.
Written request must include the member's name, rank, Social Security Number, and period of service.

Record access procedures: Procedures may be obtained by writing to or visiting Commandant (G-CMA) at the address in 'Notification Procedure' or the local activity to which assigned for locally maintained portions of subject records.

Proof of identity will be required prior to release of records. A military identification card, driver's license or similar document will be considered suitable identification.

Contesting record procedures: Same as 'Record Access Procedure.'

Record source categories: Personal interview and voluntary submissions by individuals.

Training/Educational Reports.
Fitness Reports.
USCG District Offices and other operating units of the Coast Guard.

Systems exempted from certain provisions of the act: Portions of this system of records may be exempt from disclosure under the provisions of 5USC 552a(k)(5), which provide, in part, that investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information may be withheld from disclosure, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

Portions of this system of records may be exempt from disclosure under the provisions of 5 USC 552a(k)(7), which provide, in part, that evaluation material used to determine potential for promotion in the armed services may be withheld from disclosure but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

DOT/CG 627.

System name: Enlisted Recruiting Selection Record System. DOT/CG.

System location: Primary System:

Department of Transportation (DOT),
United States Coast Guard (CG),
Commandant (G-P),
2100 2nd Street, SW,
Washington, DC 20593.
Decentralized segments are maintained at:
Coast Guard District offices and Coast Guard recruiting offices. See Appendix I for locations.

Categories of individuals covered by the system: Records and correspondence pertaining to prospective applicants, applicants for regular and reserve enlisted programs, and any other individuals who have initiated correspondence pertaining to enlistment in the United States Coast Guard.

Categories of records in the system: Records and correspondence in both automated and non-automated forms concerning personal history, education, professional qualifications, mental aptitude, physical qualifications, character and interview appraisals, National Agency Checks and certifications, service performance and congressional or special interests.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Officials and employees of the U.S. Coast Guard in the performance of their duties in managing and contributing to the recruitment program of the Coast Guard Reserve.

The Comptroller General or any of his authorized representatives, upon request, in the course of the performance of duties of the General Accounting Office relating to the management or quality of military recruitment.
The Attorney General of the United States or his authorized representatives in connection with litigation, fraudulent enlistment or other matters under the jurisdiction of such agencies.
Officials and employees of other Departments and agencies of the Executive Branch of government, upon request, in the performance of their official duties related to the management or quality of military recruitment.
Officials and employees of the Veterans Administration and Selective Service System in the performance of their official duties related to enlistment and reenlistment eligibility and related benefits.
The Senate or the House of Representatives of the United States or any committee or subcommittee on matters within their jurisdiction requiring disclosure of files or records of personnel covered by this system.
Such contractors and their employees as are or may be operating in accordance with an approved official contract with the U.S. Government.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Automated records are stored on magnetic tape.

Paper records are stored in file folders.

Retrievability: Alphabetically by name of subject and social security number.

Safeguards: Records are accessible only to authorized personnel within the Coast Guard recruiting organization and are handled with security procedures appropriate for documents marked 'For Official Use Only'.

Retention and disposal: Records are normally maintained for two years and then disposed of by multilating, shredding, or burning.

System manager(s) and address: Chief, Office of Personnel,

Department of Transportation,
United States Coast Guard Headquarters,
2100 2nd Street, SW,
Washington, DC 20593.

Notification procedure: Department of Transportation,

United States Coast Gurad Headquarters,
Commandant (G-CMA),
2100 2nd Street, SW,
Washington, DC 20593.

Record access procedures: Procedures may be obtained by writing to, or visiting, Commandant (G-CMA) at the address in 'Notification Procedure' or the appropriate local office where the record, or portion there of, is filed.

Prior written notification is required to insure that records will be available at time of visit.
Proof of identity will be required prior to affording access to records. A military identification card, driver's license, or similar document, will be considered suitable identification.

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: Coast Guard recruiting personnel and administrative staff.

Medical personnel or private physicians providing consultations or patient history.
Character and employer references.
Educational institutions, staff and faculty members.
Selective Service System.
Local, state, and Federal law enforcement agencies.
Prior or current military service records.
Members of Congress.
Other officials and employees of the Coast Guard, Department of Defense and components thereof, in the performance of their duties and as specified by current instructions and regulations promulgated by competent authority.

Systems exempted from certain provisions of the act: Portions of this system of records may be exempt from disclosure under the provisions of 5 USC 552a(k)(5, which provide, in part, that investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualification for Federal civilian employment, military service, Federal contracts, or access to classified information

may be withheld from disclosure but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

Portions of this system of records may be exempt from disclosure under the provisions of 5 USC 552a (k)(7), which provide, in part, that evaluation material used to determine for promotion in the armed services may be withheld from disclosure but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of a source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

DOT/CG 628.

System name: Officer, Enlisted, and Recruiter Selection Test File. DOT/CG.

System location: Department of Transportation (DOT),
United States Coast Guard (CG),
Commandant (G-PMR),
2100 2nd Street, SW,
Washington, DC 20593.

Categories of individuals covered by the system: Civilian or military personnel who have taken the following tests:

U.S. Navy Officer Qualification (OQT).
U.S. Navy and U.S. Marine Corps Aviation Selection (AST).
U.S. Navy Basic Test Battery (BTB) (retests).
The Cooperative Tests for Advanced Electronic Training (AET TESTS).
The 16 Personality Factor Test used for screening of enlisted personnel for recruiting duty.
Professional Examination for Merchant Mariners.

Categories of records in the system: Card files, answer sheets.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records are kept to provide the test results if an applicant (civilian or military) applies for an officer program or is already in military and interested in certain training programs.

Internal users:
Officer Recruiting, Enlisted Recruiting, Enlisted Personnel, Training Programs, Merchant Marine, Commanding Officer, Enlisted Personnel District, Personnel offices, Training Centers and Academy.
Other Government Agencies:
U.S. Navy Recruiting, U.S. Marine Corps, U.S. Navy Bureau of Medicine and Surgery.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, case files.

Retrievability: By name.

Safeguards: Combination - type safe, locked files.

Test results are given only on a need to know basis to authorized personnel.
Only custodian of safes and alternate custodian have access.

Retention and disposal: Test answer sheets are destroyed after 2 years.

Card file - destroyed after 4 years.

System manager(s) and address: Chief, Office of Personnel,
Department of Transportation,
United States Coast Guard Headquarters,
2100 2nd Street, SW,
Washington, DC 20593.

Notification procedure: Department of Transportation,
United States Coast Guard Headquarters,
Commandant (G-CMA),
2100 2nd Street, SW,
Washington, DC 20593.

Record access procedures: Procedures may be obtained by writing to or visiting Commandant (G-CMA) at the address in 'Notification Procedure.'

Proof of identity will be required prior to release of records. A military identification card, driver's license or similar document will be considered suitable identification.

Contesting record procedures: Same as 'Record Access Procedure.'

Record source categories: Individuals concerned and United States Coast Guard recruiting officials.

U.S. Marine Corps officials.
U.S. Navy Recruiting officials,
U.S. Navy Bureau of Medicine Surgery officials.

Systems exempted from certain provisions of the act: Portions of this system of records may be exempt from disclosure under the provisions of 5 USC 552(k)(6), which provides, in part, that testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service may be withheld from disclosure to the extent that disclosure of these records would compromise the objectivity or fairness of the testing or examination process.

Portions of this system of records may be exempt from disclosure under the provisions of 5 USC 552a (k) (5), which provide, in part, that investigatory material compiled soley for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information may be withheld from disclosure but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

Portions of this system of records may be exempt from disclosure under the pro- visions of 5 USC 552a (k)(7), which provide, in part, that evaluation material used to determine potential for promotion in the armed services may be withheld from disclosure but only to the extent that the disclosure of such material would reveal the identity of a source who furnished informaton to the Government under an express promise that the identity of a source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

DOT/CG 629.

System name: Enlisted Personnel Record System. DOT/CG.

System location: Department of Transportation (DOT),
United States Coast Guard (CG),
Commandant (G-PMR),
2100 2nd Street, SW,
Washington, DC 20593.
Decentralized segments of the system are located at each District office and Headquarters Unit. See Appendix I for locations.

Categories of individuals covered by the system: All enlisted members of the Coast Guard now serving on active duty (including enlisted members of the Reserve on extended active duty), and members who have been temporarily or permanently retired or discharged.

Categories of records in the system: Enlisted contract package, record of emergency data, leave records, performance ratings, administrative remarks, medical records.

All other requisite Coast Guard personnel forms, and pertinent miscellaneous correspondence.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For use in formulating all Coast Guard personnel actions including, but not limited to, assignment, promotion, re-enlistment, retirement, discharge, determination of entitlement to pay and allowances, correction of records, and disciplinary actions.

Data is provided to the Veterans Administration for determination of an individual's eligibility for benefits administered by that agency and to medical facilities maintained by the Department of Health, Education and Welfare in conjunction with medical treatment afforded an individual.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in enlisted files record jackets and stored in file cabinets.

Retrievability: Records are retrievable by name of individual or the last three digits of the individual's social security number.

Safeguards: Records maintained at Coast Guard Headquarters are located in a central storage area, locked behind two separate doors

during non-working hours, in a building with a roving security patrol.

Records at field units are maintained in Government office buildings with off-duty hours security.

During working hours, access to records is controlled by office personnel.

Retention and disposal: Individual records are maintained at CG Headquarters until six months after an enlisted member is discharged, permanently retired for physical disability, or retired for years of service, after which records are transmitted for permanent storage to the:

National Personnel Records Center, (Military Personnel Records) GSA,
9700 Page Boulevard,
St. Louis, MO 63132.

In the case of members transferred to the Reserve, their records are sent to Commandant (G-RA-2) after separation documents are received.

System manager(s) and address: Chief, Office of Personnel,

Department of Transportation,
United States Coast Guard Headquarters,
2100 2nd Street, SW,
Washington, DC 20593.

Notification procedure: Department of Transportation,

United States Coast Guard Headquarters,
Commandant (G-CMA),
2100 2nd Street, SW,,
Washington, DC 20593.
Written request must be signed by individual.

Record access procedures: Procedures may be obtained by writing to, or visiting, Commandant (G-CMA) at the address in 'Notification Procedure' or the local Coast Guard District or unit administrative officer for the area in which an individual's duty station is located.

Proof of identity will be required prior to affording an individual access to records. A military identification card, a driver's license, or similar document will be considered suitable identification.

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: Information is obtained from the individual, and Coast Guard Officials.

Systems exempted from certain provisions of the act: Portions of this system of records may be exempt from disclosure under the provisions of 5 USC 552a(k)(5), which provide, in part, that investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information may be withheld from disclosure but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

Portions of this system of records may be exempt from disclosure under the provisions of 5 USC 552a(k)(7), which provide, in part, that evaluation material used to determine potential for promotion in the armed services may be withheld from disclosure but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

DOT/CG 630.

System name: Coast Guard Family Housing. DOT/CG.

System location: Department of Transportation (DOT),

United States Coast Guard (CG),
Commandant (G-P),
2100 2nd Street, SW,
Washington, DC 20593.
Decentralized segments are maintained at:
Each District and Headquarters Unit. See Appendix I for locations.

Categories of individuals covered by the system: Military and civilian personnel of all pay grades who make application for government and/or government leased housing.

Military personnel who make application in locating community housing, married officers and married E-3 or above (over 2 years service).

Certain government employees occupying government housing.

Military or civilian personnel who have corresponded with the President, a Congressman, or the Commandant concerning family housing.

Categories of records in the system: Applicants name, pay grade, marital status, current address and dependent information maintained for the Coast Guard Housing Administration Information and Liaison (HAIL) System.

Includes family housing survey; computer data summaries are maintained for the family housing survey.

Copies of correspondence from individual to the President, a Congressman or the Commandant, inquiry sheets, and replies maintained for Congressional correspondence files.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For use by authorized Coast Guard employees in performance of their duties in placing the applicant in government owned or leased housing or community housing.

Assessing housing needs of District and Headquarters Units.

Answering inquiries from individuals, Congressmen or the Commandant concerning family housing.

Preparing budgets.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: By name of individual, Coast Guard District and date received.

Safeguards: Records are maintained in locked file cabinets and desk file drawers.

Retention and disposal: Records are maintained until the applicant is placed in housing and then destroyed.

Records concerning Congressional correspondence are maintained indefinitely.

System manager(s) and address: Chief, Office of Personnel, Department of Transportation,

United States Coast Guard Headquarters,
2100 2nd Street, SW,
Washington, DC 20593.

Notification procedure: Department of Transportation,

United States Coast Guard Headquarters,
Commandant (G-CMA),
2100 2nd Street, SW,
Washington, DC 20593.
Written request must be signed by individual whose record is being requested.

Record access procedures: Procedures may be obtained by writing to or visiting Commandant (G-CMA) at the address in 'Notification Procedure' or the local Coast Guard District Office. See address in Appendix I.

Contesting record procedures: Same as 'Record Access Procedure.'

Record source categories: Information is obtained from applicants, individuals who complete family housing survey forms, initiate correspondence concerning family housing and Coast Guard Officials.

DOT/CG 632.

System name: Uniformed Services Identification and Privilege Card Record System. DOT/CG.

System location: Department of Transportation (DOT),

United States Coast Guard (CG),
Commandant (G-PS),
2100 2nd Street, SW,
Washington, DC 20593.

Categories of individuals covered by the system: Dependents of U.S. Coast Guard personnel (active, retired, reserve and deceased).

Former Coast Guard personnel who have been rated by the Veterans Administration as one-hundred percent disabled and their eligible dependents.

Categories of records in the system: Applications for Uniformed Service Identification and Privilege Card (DD-1172).

Verification for eligibility to possess the Identification and Privilege Cards (DD-1173).

Pertinent miscellaneous correspondence.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by authorized Coast Guard employees to verify that applicant is entitled to be issued an Identification and Privilege Card.

Verification provided to other Armed Forces authorized personnel as required.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in file folders.

Retrievability: Alphabetical by name.

Safeguards: Maintained in file cabinets. During working hours access to records is controlled by office personnel. During non-working hours building is patrolled by roving security guards.

Retention and disposal: Retained for 10 years after which they are destroyed.

System manager(s) and address: Chief, Office of Personnel,

Department of Transportation,
United States Coast Guard Headquarters,
2100 2nd Street, SW,
Washington, DC 20593.

Notification procedure: Department of Transportation,

United States Coast Guard Headquarters,
Commandant (G-CMA),
2100 2nd Street, SW,
Washington, DC 20593.

Written request must contain, full name, social security number (SSN) and be signed by individual.

Record access procedures: Procedures may be obtained by writing to, or visiting, Commandant (G-CMA) at the address in 'Notification Procedure.'

Proof of identity will be required prior to affording an individual access to records. A military identification card, a driver's license, or similar document will be considered suitable identification.

Contesting record procedures: Same as 'Record Access Procedure.'

Record source categories: Information is supplied by the sponsor and/or his dependents.

DOT/CG 633.

System name: Coast Guard Civilian Personnel Security Program. DOT/CG.

System location: Department of Transportation (DOT),

United States Coast Guard (CG),
Commandant (G-PS/6),
2100 2nd Street, SW,
Washington, DC 20593.

Decentralized segments are located at:

Each District Office and Headquarters Unit. See Appendix I for locations.

Categories of individuals covered by the system:

Coast Guard Civilian Personnel.

Applicants for civilian positions.

Categories of records in the system: Records of civilian security clearance granted. Correspondence and requests concerning civilian personnel security actions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For use in determining eligibility for access to classified information under Executive Order 11652 and suitability for sensitive positions.

Categories of users include use by Coast Guard employees in performance of official duties and use by investigative agents of other federal agencies.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folder - 3x5 Index cards.

Retrievability: Records are retrieved by name of individual.

Safeguards: Records are kept in locked cabinets and safes. Individual identification is required for users of records.

Retention and disposal: Upon termination of employment investigative files for civilians, which serve as a basis for security clearances, are returned to the Civil Service Commission.

A name record of type of investigation is kept for 5 years and then destroyed by burning.

System manager(s) and address: Chief, Office of Personnel,

Department of Transportation,
United States Coast Guard Headquartetrs,
2100 2nd Street, SW,
Washington, DC 20593.

Notification procedure: Department of Transportation,

United States Coast Guard Headquarters,
Commandant (G-CMA),
2100 2nd Street, SW,
Washington, DC 20593.

Written request must be signed by the individual whose record is being requested.

Record access procedures: Procedures may be obtained by writing to or visiting Commandant (G-CMA) at the address in 'Notification Procedure' or the local office or unit. See addresses in Appendix I.

Proof of identity will be required prior to affording an individual access to records. A military identification card, a driver's license, or similar document will be considered suitable identification.

Contesting record procedures: Same as 'Record Access Procedure.'

Record source categories: Civilian Personnel:

Civil Service Investigative Reports, Personnel Security Clearance requests and forms SF-85, SF-86 and SF-171.

Systems exempted from certain provisions of the act: Portions of this system of records may be exempt from disclosure under the provisions of 5 USC 552a(k)(5), which provide, in part, that investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information may be withheld from disclosure but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

Portions of this system of records may be exempt from disclosure under the provisions of 5 USC 552a (k) (7), which provide, in part, that evaluation material used to determine potential for promotion in the armed services may be withheld from disclosure but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of a source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

DOT/CG 635.

System name: Coast Guard Mutual Assistance. DOT/USCG.

System location: Department of Transportation (DOT),

United States Coast Guard (CG),
Commandant (G-PS-3),
2100 2nd Street, SW,
Washington, DC 20593.

Decentralized segments are located at:

Each District Office or Headquarters Unit. See Appendix I for locations.

Categories of individuals covered by the system: Enlisted military personnel (active duty and retired) and dependents.

Officer personnel (active duty and retired) and dependents.

Categories of records in the system: Card Index.

Loan applications forms filed by month
Educational loan file.
Organization financial records.
Bad debts listing.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by authorized Coast Guard officials in approving loan and grant applications.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Index boxes and file folders.

Retrievability: By name.

Safeguards: Maintained in separate correspondence files.

All correspondence regarding an applicant is considered priviledged and personnel are screened prior to access.

No loan records or correspondence are placed in service record of individual.

Periodic inspections are performed.

Retention and disposal: Administrative and financial data relating to CG Mutual Assistance Cases are disposed of four years after date of last transaction.

All other records and correspondence are disposed of after four years.

System manager(s) and address: Chief, Office of Personnel,

Department of Transportation,
United States Coast Guard Headquarters,
2100 2nd Street, SW,
Washington, DC 20593.

Notification procedure: Department of Transportation,

United States Coast Guard Headquarters,
Commandant (G-CMA),
2100 2nd Street, SW,
Washington, DC 20593,
Written requests must be signed by individual whose record is being requested. Give date and place assistance is believed to have been received.

Record access procedures: Procedures may be obtained by writing to or visiting Commandant (G-CMA) at the address in 'Notification Procedure' or the local Coast Guard District office or unit for the area in which an individual's duty station is located. See Appendix I for addresses.

Proof of identity will be required prior to affording an individual access to records. A military identification card, a driver's license, or similar document will be considered suitable identification.

Contesting record procedures: Same as 'Record Access Procedure.'

Record source categories: Individual requesting loan or grant.

DOT/CG 636.

System name: Personal Affairs Record System Coast Guard Military Personnel. DOT/CG.

System location: Department of Transportaion (DOT),

United States Coast Guard (CG), Commandant (G-PS),
2100 2nd Street, SW,
Washington, DC 20593.
Decentralized segments at:
Each District and Headquarters Unit. See Appendix I for locations.

Categories of individuals covered by the system: Active duty and retired Coast Guard military personnel who have been subject to damage arising out of domestic relations disputes, alleged personal indebtedness, and claims of alleged paternity.

Categories of records in the system: Case files containing complaint concerning alleged personal indebtedness, complaints arising out of domestic relations disputes, claims of alleged paternity.

Files contain correspondence including investigative steps, response to complaints and follow up correspondence on recurring complaints. Index card files contain summary of material contained in case file for each reference.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For use in attempting to resolve complaints in an expeditious manner.

For reference in development of future policy.
Information is used by:
Authorized Coast Guard employees in performance of the duties.
Complainant and/or authorized representatives.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Case file and card index file.

Retrievability: Alphabetical listing.

Safeguards: Kept in locked filing cabinet.

Personnel are screened prior to granting access.

Retention and disposal: Maintained for 5 years after action completed and then destroyed.

System manager(s) and address: Chief, Office of Personnel,

Department of Transportation,
United States Coast Guard Headquarters,
2100 2nd Street, SW,
Washington, DC 20593.

Notification procedure: Department of Transportation,

United States Coast Guard Headquarters,
Commandant (G-CMA),
2100 2nd Street, SW,
Washington, DC 20593.
Written requests must be signed by the individual whose record is being requested.

Record access procedures: Procedures may be obtained by writing to or visiting Commandant (G-CMA) at the address in 'Notification Procedure' or the local Coast Guard District Office or unit for the area in which an individual's duty station is located. See Appendix I for addresses.

Proof of identity will be required prior to affording an individual access to records. A military identification card, a driver's license or similar document will be considered suitable identification.

Contesting record procedures: Same as 'Record Access Procedure.'

Record source categories: Information is obtained from complainants, their legal representatives and Coast Guard officials.

DOT/CG 637.

System name: Appointment of Trustee or Guardian for Mentally Incompetent Personnel. DOT/CG.

System location: Department of Transportation (DOT),

United States Coast Guard Headquarters (CG),
Commandant (G-PS),
2100 2nd Street, SW,
Washington, DC 20593.
Decentralized segments are located at:
Each District and Headquarters Unit. See Appendix I for locations.

Categories of individuals covered by the system: Active duty and retired Coast Guard military personnel.

Categories of records in the system: Case files containing information relating to the mental incompetency of certain Coast Guard personnel.

Records used to assist Coast Guard Officials in appointing trustees for mentally incompetent Coast Guard persons.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Authorized Coast Guard employees in performance of their duties, prospective appointees, including but not limited to relatives, lawyers, physicians or other designated respresentatives.

Veterans Administration upon request for the determination of eligibility for benefits administered by that agency.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Locked file cabinet.

Retrievability: Alphabetical listing.

Safeguards: Stored in locked file cabinets.

Acess restricted to representatives of incompetent.
Identification required, such as, a military identification card, valid state driver's license, or other picture identification card.

Retention and disposal: Maintained for 5 years after action is completed then destroyed.

System manager(s) and address: Chief, Office of Personnel,

Department of Transportation,
United States Coast Guard Headquarters,
2100 2nd Street, SW,
Washington, DC 20593.

Notification procedure: Department of Transportation,

United States Coast Guard Headquarters,
Commandant (G-CMA),
2100 2nd Street, SW,,
Washington, DC 20593.
Written request must be signed by trustee or guardian.

Record access procedures: Procedures may be obtained by writing to or visiting Commandant (G-CMA) at the address in 'Notification Procedure' or the local Coast Guard District office or unit having custody of the records. See Appendix I for addresses.

Contesting record procedures: Same as 'Record Access Procedure.'

Record source categories: Coast Guard officials, legal representatives of individuals and/or individuals concerned, and complainants.

DOT/CG 638.

System name: Drug and Alcohol Abuse Prevention Program Record System. DOT/CG.

System location: Department of Transportation (DOT),

United States Coast Guard (CG),
Commandant (G-PS),
2100 2nd Street, SW,
Washington, DC 20593.
All Coast Guard units have portions of duplicate case folders on individuals involved in the program. See Appendix I for addresses.

Categories of individuals covered by the system: Active duty Coast Guard officers, enlisted personnel and reserve personnel.

Retired and separated Coast Guard personnel.

Categories of records in the system: Annotations on file cards of drug abuse, drug exemptions, drug rehabilitation, alcohol rehabilitation and waiver for enlistment in the Coast Guard cases.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to:

Determine extent of drug and alcohol problem in the Coast Guard.
To evaluate program effectiveness.
Maintain the integrity of the Coast Guard drug exemption program by authorized Coast Guard employees in performance of their official duties.
Assist the U.S. Navy Department in consonance with inpatient treatment at Navy Rehabilitation Centers.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on file cards (5'x8') and message file.

Retrievability: File cards are indexed by name; message file by date/time group.

Safeguards: Files are stamped 'For Official Use Only' and maintained in locked filing cabinet.

Retention and disposal: Disposal schedules are under development and will be in accord with disposal schedules of the Military Personnel Record System.

System manager(s) and address: Chief, Office of Personnel,

Department of Transportation,
United States Coast Guard Headquarters,
2100 2nd Street, SW,
Washington, DC 20593.

Notification procedure: Department of Transportation,

United States Coast Guard Headquarters,
Commandant (G-CMA),
2100 2nd Street, SW,
Washington, DC 20593.
Written request must be signed by individual.

Record access procedures: Procedures may be obtained by writing to or visiting Commandant (G-CMA) at the address in 'Notification Procedure' or the local Coast Guard District or unit office for the area in which an individual's duty station is located. See Appendix I for addresses.

Proof of identity will be required prior to affording an individual access to records. A military identification card, a driver's license, or similar document will be considered suitable identification.

Contesting record procedures: Same as 'Record Access Procedure.'

Record source categories: Reports of drug exemption.

Reports of civil and military offenses involving drugs or alcohol.
Reports of Coast Guard Intelligence Investigation.
Recommendation for inpatient drug or alcohol rehabilitation.
From individual personnel, medical, and security records.

DOT/CG 639.

System name: Request for Remission of Indebtedness. DOT/CG.

System location: Department of Transportation (DOT),

United States Coast Guard (CG),
Commandant (G-PS),
2100 2nd Street, SW,
Washington, DC 20593.
Decentralized segments are located at:
Each District and Headquarters Unit. See Appendix I for locations.

Categories of individuals covered by the system: Active Duty Enlisted Coast Guard Personnel.

Categories of records in the system: Files containing correspondence, requests with endorsements, research material, paneling action, Commandant's decisions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For use in making determinations based on the best interests of the individual and the Government.

Categories of users are Coast Guard Officials in performance of their official duties.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Locked filing cabinets.

Retrievability: Alphabetical listing.

Safeguards: Locked filing cabinets.

Retention and disposal: Retained for 5 years after decision is made, then destroyed.

System manager(s) and address: Chief, Office of Personnel,

Department of Transportation,
United States Coast Guard Headquarters,
2100 2nd Street, SW,
Washington, DC 20593.

Notification procedure: Department of Transportation,

United States Coast Guard Headquarters,
Commandant (G-CMA),
2100 2nd Street, SW,
Washington, DC 20593.
Written requests must be signed by individual.

Record access procedures: Procedures may be obtained by writing to or visiting Commandant (G-CMA) at the address in 'Notification Procedure' or the local Coast Guard District or unit for the area in which an individual's duty station is located.

Proof of identity will be required prior to affording an individual access to records. A military identification card, a driver's license or similar document will be considered suitable identification.

Contesting record procedures: Same as 'Record Access Procedure.'

Record source categories: Information is obtained from individual and Coast Guard Officials.

DOT/CG 640.

System name: Outside Employment of Active Duty Coast Guard Personnel. DOT/CG.

System location: Department of Transportation (DOT),

United States Coast Guard (CG),
Commandant (G-PS),
2100 2nd Street, SW,
Washington, DC 20593.
Decentralized segments are located at:
Each District Office and Headquarters Unit. See Appendix I for locations.

Categories of individuals covered by the system: Active Duty and Reserve Coast Guard Personnel.

Categories of records in the system: Correspondence relating to individual's request for part time employment.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For use by Coast Guard officials in determining in questionable cases whether an individual should hold a particular job or position. Both the legality and the propriety of the request are considered.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Locked filing cabinet.

Retrievability: Alphabetical listing.

Safeguards: Kept in locked filing cabinet.

Access restricted to individuals who request outside employment, and authorized Coast Guard officials.
Proper identification is required.

Retention and disposal: Retained indefinitely.

System manager(s) and address: Chief, Office of Personnel,

Department of Transportation,
United States Coast Guard Headquarters,
2100 2nd Street SW,
Washington, DC 20593.

Notification procedure: Department of Transportation,

United States Coast Guard Headquarters,
Commandant (G-CMA),

2100 2nd Street, SW,
Washington, DC 20593.
Written requests must be signed by the individual whose record(s) is being requested.

Record access procedures: Procedures may be obtained by writing to or visiting Commandant (G-CMA) at the address in 'Notification Procedure' above or the local Coast Guard District Office or unit for the area in which an individual's duty station is located. See addresses in Appendix I.

Proof of identity will be required, prior to affording an individual access to records. A military identification card, a driver's license or similar document will be considered suitable identification.

Contesting record procedures: Same as 'Record Access Procedure.'

Record source categories: Information is obtained from the individual and Coast Guard officials.

DOT/CG 671.

System name: Biographical Statement. DOT/CG.

System location: Department of Transportation (DOT),
United States Coast Guard (CG),
Commandant (G-A),
2100 2nd Street, SW,
Washington, DC 20593.

Categories of individuals covered by the system: Key DOT officials, USCG officers.

Categories of records in the system: Individual biographical data.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Public Affairs Staff - uses records for publicity.

Personnel Office - uses records for promotion.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper forms and correspondence are stored in filing cabinets.

Retrievability: By name.

Safeguards: Personnel are screened prior to granting access.

Stored in building having roving security guards during non-working hours.

Retention and disposal: Transferred to historical file upon termination of active duty.

System manager(s) and address:
Chief, Office of Public and International Affairs,
Department of Transportation,
U. S. Coast Guard Headquarters
2100 2nd Street, SW,
Washington, DC 20593.

Notification procedure: Department of Transportation,
United States Coast Guard Headquarters,
Commandant (G-CMA),
2100 2nd Street, SW,
Washington, DC 20593. Written request must be signed by individual.

Record access procedures: Procedures may be obtained by writing to or visiting Commandant (G-CMA) at the address in 'Notification Procedure.'

Proof of identity will be required prior to granting access. A military identification card, drivers license, or similar document will be considered suitable identification.

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: Individual named in file.

DOT/CG 676.

System name: Official Coast Guard Reserve Service Record. DOT/CG.

System location: Department of Transportation (DOT),
United States Coast Guard (CG),
Commandant (G-RA),
2100 2nd Street, SW,
Washington, DC 20593. For official records on discharged, retired, and separated former members:
General Services Administration (GSA),
National Personnel Records Center (Military Personnel Records),
9700 Page Boulevard,
St. Louis, MO 63132.
Decentralized segments are located at:
Each Coast Guard District Reserve office (for District records).

Categories of individuals covered by the system: Reserve officer and enlisted personnel (not on extended active duty) in an active, inactive, retired, discharged, separated or former member status; including those Reservists released from extended active duty to fulfill a specified term of obligated inactive reserve service.

Enrolled and disenrolled members of the Temporary Coast Guard Reserve.

Categories of records in the system: Official career history of each Reservist including (as applicable):

Enlistment contract or Oath of Office.
Record of Emergency Data.
Training Courses/Educational achievements.
Rate/Grade/Rating qualifications.
Leave record.
Performance of duty marks/fitness reports.
Medals and commendations.
Record of sea duty/duty outside continental United States.
Statements of creditable and former service (including pay base date).
Statements and computations of retirement points.
Official orders.
Correspondence pertaining to any/all of the above.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Fulfilment of normal administrative personnel procedures, including examining and screening for completeness and accuracy of records and correspondence pertaining thereto.
Screening of service records for advancement, promotion, or retention of individual Reservists by various Reserve Boards.
Answering of Congressional and personal inquiries initiated by the individual whose record is concerned.
Preparation of forms, statements, compilations and computations necessary in the daily personnel administration of each individual entering, reentering or leaving the Coast Guard Reserve. Routine personnel administration requires copies of this and other service record material to be included in administrative files physically separated from the record; however, the original copy of this material will be included in the official service record maintained at Coast Guard Headquarters.
Furnishing of information (authorized and specified by the individual concerned) to other agencies or individuals (specified by the individual concerned) normally concerned with employment, educational or Veterans benefits, claims, or applications.
Furnishing specified material in a Reservist's service record pursuant to the order of a court of competent jurisdiction.
Used by:
Individual upon whom records are kept (personal review).
File clerks and personnel from the Office of Reserve, Administration, Training, and Programs Divisions in the normal performance of their duties.
Other personnel within the Coast Guard in the normal performance of their duties, as authorized by the Chief, Reserve Administration Division or his designated representative.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records maintained on paper assembled and filed in one official service record per member.

Retrievability: Individual Service Records are indexed and retrievable by name and/or triple terminal digit of member's service number.

Safeguards: Service records are maintained in a central storage area locked behind two separate doors.

During non-working hours the building security consists of roving and static security patrols.
During working hours physical access to records is controlled by Records Control Branch personnel.

Retention and disposal: Individual records are maintained at CG Headquarters until six months after an enlisted member's separation from the service (three months for officers), after which it is transmitted for permanent storage to the:

Military Personnel Record Center (MPRC)
National Personnel Records Center (NPRC),
9700 Page Boulevard,

St. Louis, MO 63132.
In the case of retired members, the service record is shipped to NPRC upon retirement.

System manager(s) and address:

Chief, Office of Reserve (G-R),
Department of Transportation,
United States Coast Guard Headquarters,
2100 2nd Street SW,
Washington, DC 20593.

Notification procedure: Inquiry requests for determination whether this system contains records on an individual should be made by that individual, in person or in writing to:

Department of Transportation,
united States Cost Guard Headquarters,
Commandant (G-CMA),
2100 2nd Street, SW,
Washington, DC 20593.
Written requests must be signed by the individual and must include the member's name, social security number and/or reserve number.

Record access procedures: Procedures for access may be obtained by writing to or visiting Commandant (G-CMA) at the address in 'Notification Procedure' or the District Office in which an individual's duty station is located.

Proof of identity will be required prior to affording an individual access (may consist of a military identification, driver's license, or other suitable identification.)

Contesting record procedures: Same as 'Record Access Procedure.'

Record source categories: Information contained in a member's service record is obtained from the individual concerned, CG Headquarters, District offices and other CG units.

Systems exempted from certain provisions of the act: Portions of this system of records may be exempt from disclosure under the provisions of 5 USC 552a(k) (5), which provide, in part, that investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information may be withheld from disclosure but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

Portions of this system of records may be exempt from disclosure under the provisions of 5 USC 552a (k) (7), which provides, in part, that evaluation material used to determine potential for promotion in the armed services may be withheld from disclosure but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

Portions of this system of records may be exempt from disclosure under the provisions of 5 USC 552 (k) (6), which provides, in part, that testing or examination material used soley to determine individual qualifications for appointment or promotion in the Federal service may be withheld from disclosure to the extent that disclosure of these records would compromise the objectivity or fairness of the testing or examination process.

DOT/CG 677.

System name: Coast Guard Reserve Personnel Mobilization System. DOT/CG.

System location: Department of Transportation, (DOT),

United States Coast Guard (CG),
Commandant (G-RP),
2100 2nd Street, SW,
Washington, DC 20593.
Commander Reserve in each Coast Guard District Office (except 17th).
Each District and Headquarters Unit.
See Appendix I for locations.

Categories of individuals covered by the system: Reserve officer and enlisted personnel (not on extended active duty) in an Active or Retired status; including those Reservists released from extended active duty to fulfill a specified term of obligated inactive Reserve service.

Categories of records in the system:

Mobilization and qualification cards and orders.
Initial, Annual, and Retired Screening and Qualification Questionaires.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Fulfillment of normal administrative procedures including the examining and screening for completeness and accuracy of records, correspondence pertaining thereto as a basis for assignment to active duty for training; special active duty for training or extended active duty and mobilization billets.

Users of these Records are Coast Guard employees in performance of official duties.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records maintained on paper, punched cards and magnetic tape

Retrievability: Individual Reservists are indexed by name and/or social security account number.

Safeguards: Safeguards and controls afforded this system of records are similar to those normally employed 'For Official Use Only' material, both at Headquarters and District Offices.

Records are maintained in locked secure areas when not in use and personnel screening is employed prior to granting access.

Retention and disposal: Individual records are maintained at CG Districts and at Headquarters throughout the members active Reserve status and during any period in a Retired Status thereafter (as applicable, and for as long as that member is considered a mobilizable resource).

A 'dead file' is often maintained for those Reservists transferred, discharged, or otherwise separated (this procedure varies from District to District.)
The majority of records in this system (in any form) are generally destroyed immediately after the expiration of their useful life, except those retained in the aforementioned 'dead files' (which are subsequently destroyed one year after placement in the file). The major exceptions to this policy are the Screening and Qualification Questionaires, which are filed in the Reservists District Service Record.
Records are destroyed by mutilating, shredding or burning.

System manager(s) and address:

Chief, Office of Reserve (G-R),
Department of Transportation,
United States Coast Guard Headquarters
2100 2nd Street, SW,
Washington, DC 20593.

Notification procedure: Department of Transportation,

United States Coast Guard Headquarters,
Commandant (G-CMA),
2100 2nd Street, SW,
Washington, DC 20593.
Written request must be signed by the individual.

Record access procedures: Individual should contact Commandant (G-CMA) in person or in writing at the address in 'Notification Procedure'.

For records maintained at the District, individual should contact the Commander (r) at the District to which the individual is assigned. Refer to Appendix I for addresses.

Contesting record procedures: Same as 'Record Access Procedure.'

Record source categories: Information contained in this system of records is obtained from the following sources: the individual himself, CG Headquarters, and CG District Offices.

DOT/CG 678.

System name: Reserve Personnel Management Information System (Automated).

System location: Department of Transportation (DOT)

United States Coast Guard (CG)
Commandant (G-RA)
2100 2nd Street, S. W.
Washington, DC 20593

Categories of individuals covered by the system: Reserve officers and enlisted personnel in an active or inactive status, including retired reservist, and those reservists released from extended active duty to fulfill a specific term of inactive obligated service.

Categories of records in the system: Included in RPMIS are the following data concerning each Coast Guard Reservist in this system

which are necessary to administer the Coast Guard program: name, social security number, present and last five grades or rates, educational background, civilian and military, foreign language and proficiency, history of unit assignments and dates assigned, duty status, date of birth, date of enlistment, appointment or extension, AFQT scores, source of entry, date of commission, prior service, date of expiration of obligation, anniversary data on pay base date, aviation pay and administrative pay, training rating, reserve category and class, training/pay category, data on ADT for last five years, number of dependents, Federal withholding exemptions, Selective Service induction certification, date of completion of Ready obligation, officer experience indicator, last screening date and result, civilian occupation, date of last National Agency Check, Background Investigation and security clearance, domestic emergency volunteer, date of last physical and immunization, data on special active duty for training and extended active duty, annual training date, total retirement points and satisfactory years of service for retirement purpose, current year retirement point accounting data, including inactive duty training participation, correspondence course activity, taxable wages paid and withholdings, uniform allowances, Servicemens Group Life Insurance (SGLI) information, mailing address, and work and home phone number.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The RPMIS is used for the personnel administration of individual reservists and the overall management of the reserve program. See prefatory Statement of General Routine Uses. The Master Personnel File provides status and qualification listings, expiration of enlistment and physical reports, strength management reports, unit and district roster, and advancement and promotion reports. The Pay and Point File provides point count statements, budgeting reports, inactive duty and active duty pay, and retirement eligibility listings. The addresses of individual reservists are used for mailing paychecks, earning statements, 'The Reservist', and Annual Screening Questionnaires. Records in this system are routinely disclosed to the Treasury Department to complete payroll checks. Used by: Authorized personnel from the Office of Reserve and the Office of the Comptroller, authorized personnel on the staff of the various district commanders in the normal performance of their official duties, the Deputy Assistant Secretary of Defense for Manpower, Logistics and Reserve Affairs and others as authorized by Chief, Office of Reserve or his representative.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The storage is on computer disks with magnetic tape backups. The file is updated weekly.

Retrievability: Individual records in the system are retrieved by Social Security Number.

Safeguards: Magnetic tapes are stored in locked storage areas when not in use and are accounted for at all times during actual use. Personnel screening is employed prior to granting access.

Retention and disposal: Magnetic tapes are used, corrected and updated until the tapes become physically deteriorated after which they are destroyed. A reservist's address is maintained on file for approximately one year after dis- charge, to allow for processing of annual point statements and W-2 forms. Audit trails are maintained indefinitely and the Master Personnel file and Pay and Points file are continually updated.

System manager(s) and address: Chief, Office of Reserve, Department of Transportation, United States Coast Guard Headquarters, Commandant (G-R), 2100 2nd Street, S.W., Washington, DC 20593.

Notification procedure: Requests to determine if this system contains information on any individual should be made in person or in writing to: Department of Transportation, United States Coast Guard Headquarters, Commandant (G-CMA), 2100 2nd Street, S.W., Washington, DC 20593. Written request must be signed by the individual.

Record access procedures: Procedures for access to records may be obtained by writing to or visiting Commandant (G-CMA) at the address in 'Notification Procedures'. Prior written notification of personal visit will insure that the record will be available at the time of visit. Proof of identity will be required prior to release of records. A military identification or similar document will be considered suitable identification.

Contesting record procedures: Same as 'Record Access Procedures'.

Record source categories: Information contained in the system is obtained from the individual, Coast Guard Headquarters and district offices, and the various operating units of the Coast Guard.

DOT/CG 686.

System name: Coast Guard Motor Vehicle Operator Permit. DOT/CG.

System location: Department of Transportation (Dot0,
United States Coast Guard (CG),
System is maintained at: District and Headquarters Unit Safety Offices.
See Appendix I for locations.

Categories of individuals covered by the system: Licensed Coast Guard employees.

Categories of records in the system: Statement of driving history and drive test results.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by authorized Coast Guard Officials for licensing Coast Guard employees to enable them to drive on Coast Guard property.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Applications (CG 3308) are stored in file cabinets.

Retrievability: Retrieved by name/service number.

Safeguards: Locked files.

Retention and disposal: 5 years.

System manager(s) and address: Chief, Safety Programs Division,
Department of Tranportation,
U.S. Coast Guard Headquarters,
2100 2nd Street, SW,
Washington, DC 20593.

Notification procedure: Contact:
Department of Transportation,
United States Coast Guard Headquarters,
Commandant (G-CMA),
2100 2nd Street, SW,
Washington, DC 20593.
Written request must be signed by the individual.

Record access procedures: Procedures may be obtained by writing to or visiting Commandant (G-CMA) at the address in 'Notification Procedure' or the local Coast Guard District or unit office for the area in which duty station is located.

Proof of identity will be required prior to granting access. A military identification card, driver's license or similiar document is considered suitable identification.

Contesting record procedures: Same as 'Record Access Procedure.'

Record source categories: Individual submission, accident experience, and driver's examination.

DOT/CG 691.

System name: Master Chief Petty Officer of the Coast Guard Individual Grievance and Correspondence File. DOT/CG.

System location: Department of Transportation (DOT),
United States Coast Guard (CG),
Commandant (G-CMCPO),
2100 2nd Street, SW,
Washington, DC 20593.
System is also maintained at:
Each District and Headquarters Unit which has a Senior Enlisted Advisor assigned. See Appendix I for addresses.

Categories of individuals covered by the system: Enlisted Coast Guard Personnel who have filed a grievance or requested information through the Master Chief Petty Officer of the Coast Guard (at Headquarters) or the Senior Enlisted Advisors at field units.

Categories of records in the system: Correspondence and other related information compiled during the process of resolving alleged grievance.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Master Chief Petty Officer, Commandant/Vice Commandant, Special Assistant, Administrative Aide and other authorized officials, to resolve enlisted personnel problems and inquiries.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders in locked file cabinet.

Retrievability: By name.

Safeguards: Locked room and file cabinets.

Screening of personnel prior to granting access.

Retention and disposal: Kept until individual is discharged or retired at which time the records are destroyed by mutilating, shredding and burning.

System manager(s) and address: Master Chief Petty Officer of the Coast Guard,

Department of Transportation,
United States Coast Guard Headquarters,
2100 2nd Street, SW,
Washington, DC 20593.

Notification procedure:

Department of Transportation,
United States Coast Guard Headquarters,
Commandant (G-CMA),
2100 2nd Street, SW,
Washington, DC 20593.
Written requests must be signed by the individual.

Record access procedures: Procedures may be obtained by writing to or visiting Commandant (G-CMA) at the address in 'Notification Procedure' above or the local activity where the complaint was filed. See Appendix I for addresses.

Prior written notification of personnel visits is required to insure that the records will be available at the time of visit.
Proof of identity will be required prior to release of records. A military identification card, driver's license or similiar document will be considered suitable identification.

Contesting record procedures: Same as 'Record Access Procedure.'

Record source categories: Information received from individuals and Coast Guard Units.

DOT/FAA 800.

System name: Aviation Medical Certification System DOT/FAA.

System location: Records are located at:

Aeromedical Certification Branch,
Aeronautical Center,
Oklahoma City, OK 73125.
Regional Flight Surgeon in all regional headquarters.
and at the
Office of Aviation Medicine,
Aeromedical Standards Division,
800 Independence Avenue, SW,
Washington, DC 20591.

Categories of individuals covered by the system: Current certificated airmen, airmen whose certificates have expired, airmen rejected for medical certification, airmen with special certification, airmen who are deceased and others requiring medical certification.

Controllers in Centers, Terminals and Flight Service Stations, and applicants for these positions.

Categories of records in the system: This system consists of a variety of records that are required to determine the physical condition of an individual with respect to the medical standards established by the FAA.

These files contain medical examinations by an Aviation Medical Examiner, X-Rays, EKG's, lab reports, EKG's, hospital records, treating or examining physician reports, consultant reports, copies of correspondence, worksheets, summaries, petitions for review by the National Transportation Safety Board, medical exemption records, letters of appeals for exemptions, medical history tapes, microfilm EKG's, computer listings and locator name cards.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records is used or may be used:

By agency officials and consultants for the purpose of determining eligibility for airmen medical certification.
By agency officials and consultants for purposes of review in connection with (1) airman requests for exemption from medical requirements or (2) petitions for review of certificate denials.
By agency officials and consultants in connection with the hiring and retention of employees.
To provide data for the Automated Medical Certification data base.
To provide data for the Automated Comprehensive Airman Information System (CAIS).
To provide statistical reports for internal use, to Congress, other Federal agencies and the public on the characteristics of the pilot population.
To provide information for Federal, State, and local agencies maintaining civil, criminal or other relevant information or other pertinent operational purposes, such as validating airman qualification, by supplying relevant information to an agency concerning the hiring or retention of an employee or the issuance of a grant or other benefit.
To refer where there is an indication of a violation, or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency whether Federal, State, or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.
As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained.
To respond to general requests for statistical information under the Freedom of Information Act, or to locate specific individuals for a variety of personnel management functions.
To provide data to the Automated Medical History tape system.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File cabinets, punch cards, magnetic disk and tape files, and microfiche.

Retrievability: Records are indexed by name, date of birth, and sex - Special cases are indexed and retrieved by pathological number.

Safeguards: Records are maintained in steel file cabinets and electrievers which are locked when not in use.

All files are maintained in a secured work room limited to those whose duties require access.
Magnetic disks and tapes and punch cards are maintained in secured computer center. When not in use, tapes are stored in fire proof tape library within the center; punch cards and microfiche are stored in steel file cabinets and tub files in work area.

Retention and disposal: Medical examination clear paper records are destroyed after microfilming is determined to be an adequate substitute for paper records. Microfilm records are destroyed after 30 years. Medical examination pathological inactive paper records prior to 1973 are transferred to the Federal Records Center 5 years after the case file is closed and destroyed by the FRC after 50 years. Pathological active paper records since 1973 are destroyed after microfilming is determined to be an adequate substitute for paper records. Microfilm records are destroyed 50 years after the record becomes inactive. The last examination record is retained on magnetic disk and tape. As a new record is received, the oldest record is put onto the history tape file. Magnetic tapes are retained permanently.

System manager(s) and address: Records from Master Files:

Chief, Aeromedical Certification Branch,
Aeronautical Center,
Oklahoma City, OK 73125.
Records from Regional Files: Regional Flight Surgeon within Region where examination was conducted.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Information is obtained from Aviation Medical Examiners, individuals themselves, consultants, hospitals, treating or examining physicians, other government agencies, tests taken by individual, special studies such as blood test, and in some rare cases, records supplied by other persons or agencies.

DOT/FAA 801.

System name: Aircraft Registration System DOT/FAA.

System location: Aircraft Registration Branch,

Aeronautical Center,
Oklahoma City, OK 73125.
Portions of these records are located in:

General Aviation District Offices (GADO's).
Air Carrier District Offices (ACDO's).
Flight Standards District Offices (FSDO's).

Categories of individuals covered by the system: This system identifies aircraft owners, partners, corporations, lien holders, operators, and lessees.

Categories of records in the system: This system consists of a series of records that identify:

Aircraft types.
Current certification status and ownership of registered aircraft.
Aircraft to be registered, or aircraft that have been registered and are now temporarily deregistered.
These records contain information about:
N - Number assignment.
Airworthiness of aircraft.
Bills of sale.
Appications for certification of amateur aircraft.
Major repairs and alterations maintenance inspection forms.
Revalidation and use forms.
Lien and collateral documents.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To determine that aircraft are registered in accordance with the provisions of the Federal Aviation Act of 1958.

To support investigative efforts of investigation and law enforcement agencies of Federal, State, and foreign governments.
To serve as a repository of legal documents used by individuals and title search companies to determine the legal ownership of an aircraft.
To provide aircraft owners and operators information about potential mechanical defects or unsafe conditions of their aircraft in the form of airworthiness directives.
To provide supporting information in court cases concerning liability of individual in law suits.
To serve as a data source for management information for production of summary descriptive statistics and analytical studies in support of agency functions for which the records are collected and maintained.
To respond to general requests from the aviation community or the public for statistical information under the Freedom of Information Act or to locate specific individuals or specific aircraft for accident investigation, violation, or other safety related requirements.
To provide data for the automated aircraft registration master file.
To provide documents for microfiche backup records.
To provide data for development of the aircraft registration statistical system.
To prepare an Aircraft Registry in magnetic tape and publication form required by ICAO agreement containing information on aircraft by registration number, type of aircraft, name and address of owners used for internal FAA safety program purposes.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, magnetic tape, punch cards, and on microfiche.

Retrievability: Records are filed by registration number, but may be retrieved by name of the current individual aircraft owners.

Safeguards: Records are stored in open shelves in a room that is open only to authorized employees and by special permission.

Magnetic tapes are maintained in secure data processing area accessed by pass only.
Backup copies of microfiche are kept in a fire proof vault and storage room.

Retention and disposal: If records are microfilmed: (1) Original Records. Destroy original records after microfilm is determined to be an adequate substitute for paper records; (2) Microfilm of Original Records. Destroy when it is determined that the aircraft is no longer in existence.

If records are not microfilmed: Destroy when it is determined that the aircraft is no longer in existence.

System manager(s) and address: For official agency records, contact:

Chief, Aircraft Registration Branch,
Aeronautical Center,
Oklahoma City, OK 73125.

Chief of the nearest GADO, ACDO, or FSDO.

Notification procedure: Individual owners of currently registered aircraft who wish to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individual owners of currently registered aircraft who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Information is collected from individuals, manufacturers of aircraft, maintenance inspectors, mechanics, and FAA officials.

DOT/FAA 802.

System name: Airman Certification System DOT/FAA.

System location: Airman Certification Branch,

Aeronautical Center,
Oklahoma City, OK 73125.
Copies or temporary files are maintained in the originating General Aviation District Office (GADO), Air Carrier District Office (ACDO), or Flight Standards District Office (FSDO) until required action or certification is completed.

Categories of individuals covered by the system: Individuals seeking to be certified, airmen seeking additional certifications or additional ratings, individuals denied certification, airmen holding inactive certificates, airmen who have had certificate revoked, and flight attendants engaged in international air transport.

Categories of records in the system: Application for certification; written examination, application for written examination, results of written test, application for inspection authority, certificates held, ratings, stop orders.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To determine that airmen are certified in accordance with the provisions of the Federal Aviation Act of 1958.

Repository of documents used by individual and potential employers to determine validity of airmen qualifications.
To support investigative efforts of investigation and law enforcement agencies of Federal, State, and local governments.
Supporting information in court cases concerning individual status and/or qualifications in law suits.
To provide data for the Comprehensive Airman Information System (CAIS).
To provide documents for microfilm and microfiche backup records.
To prepare an Airman Directory in magnetic tape and paper form containing information on airmen by name, address, and certificate status used for internal FAA safety program purposes.
To verify U.S. citizenship, certify qualified applicants, and provide them with a crew member certificate to be used in lieu of a passport in International Civil Aviation Organization member countries.
To answer inquiries regarding crew member certification.
The U.S. Department of State uses these applications and any supporting documents to verify U.S. citizenship.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in microfilm, microfiche, magnetic disk, magnetic tape, file folders, and notebook listings.

Retrievability: Records are maintained in alphabetic order cross referenced with social security number and airman number.

Safeguards: Records are stored in a data processing facility.

Data are retrieved via a terminal, which requires operation numbers and individual passwords.
Accessible only to limited numbers of authorized persons.
Backup microfilm and microfiche are kept in locked vault.

Retention and disposal: Source documents are destroyed after being microfilmed and key punched.

Magnetic tapes and disks are being continually updated, destruction is not authorized.

Source document crew member certifications are in storage at the Fort Worth Federal Records Center, destruction not authorized.

System manager(s) and address: For official FAA Certification Records, contact:

Chief, Airman Certification Branch,
Aeronautical Center,
Oklahoma City, OK 73125 or request assistance from the originating GADO, ACDO, or FSDO.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: The individual to whom the record pertains. Written test scores are derived from answers given by individuals. Action filed by FAA personnel.

DOT/FAA 803.

System name: General Aviation Medical Accident System DOT/FAA.

System location: Aeromedical Certification Branch,

Aeronautical Center,
Oklahoma City, OK 73125.
Aeromedical Applications Division,
Office of Aviation Medicine,
800 Independence Avenue, SW,
Washington, DC 20591.

Categories of individuals covered by the system: Pilots involved in all general aviation aircraft accidents.

Categories of records in the system: Reports of fatal accidents, autopsies, toxological studies, AME's reports, medical record printouts, nonfatal reports, injury reports, accident name cards, magnetic tape records of fatal accidents, psychological autopsy, and consulting pathologist summary of findings.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To identify and monitor airman having accidents or incidents, analyze medical data for regulatory purposes, research studies of causes of accidents, promote aviation safety.

Data are supplied to the National Transportation Safety Board (NTSB) under requirements of FAA accident investigation authority delegated to it by the Board.
Supporting information in court cases concerning individual medical fitness or medical mishap that may or may not relate to the cause of the accident.
Repository of legal documents that relate to individual's physical status or condition used to determine statistically the validity of FAA Medical Standards.
As a data source for management information for producing summary descriptive statistics and analytical studies in support of agency functions for which the records are collected.
Used in developing professional papers that are distributed to various aviation and medical groups for evaluation and study.
To inform the aviation community of medical findings related to flight safety.
To provide data for the automated Medical Accident System.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, punch cards, magnetic tape, and computer listings.

Retrievability: Records are filed by accident number cross referenced by name of pilot.

Computer listings are maintained in name order.
Magnetic tapes are in accident number order and are cross referenced by name.
Records are quite often retrieved by name.

Safeguards: Records are stored in lockable file cabinet in secured work area.

Computer listings are maintained in metal file drawers in secured area.
Magnetic tape is retained in a secured automatic data processing facility.

Retention and disposal: Records of fatal accidents are transferred to Fort Worth Federal Records Center when 5 years old and destroyed when 25 years old.

Accident name cards are destroyed when 50 years old.
Magnetic tape record - destruction not authorized.

System manager(s) and address: For official medical accidents records, contact:

Chief, Aeromedical Certification Branch,
Aeronautical Center,
Oklahoma City, OK 73125.

Notification procedure: Individuals wishing to see their records may appear in person or submit in writing a request identifying records desired. For identification an individual must submit his or her name, date of birth, sex, social security number or Airman number. Letter should be addressed to:

Chief, Aeromedical Certification Branch,
Aeronautical Center,
Oklahoma City, OK 73125.

Record access procedures: Individuals who desire to access information about themselves in the system records should contact or address their inquiries to:

Chief, Aeromedical Certification Branch,
Aeronautical Center,
Oklahoma City, OK 73125.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Information is obtained from aviation medical examiners (AME), pathologists, accident investigation medical laboratories, law enforcement officials, and FAA employees.

DOT/FAA 804.

System name: General Aviation Aircraft Accident System DOT/FAA.

System location: This system of records is maintained with the:

Safety Data Branch,
Flight Standards Technical Division,
Oklahoma City, OK 73125.
Working copies are maintained in the region in which the accident occurred.

Categories of individuals covered by the system: Persons involved in aircraft accidents, pilots, passengers, persons on the ground, and witnesses.

Categories of records in the system: Reports of accidents investigation, preliminary notices of accident, injury reports, engineering analysis, witness statements, investigators analysis, pictures of accident scene.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To identify and monitor airman involved in accidents. Analyze facts surrounding accidents to determine whether or not FAA regulations have been violated.

To supply data to the National Transportation Safety Board (NTSB) as required by the delegated authority for accident investigation from the Board.
As a data source for management information, for the production of summary descriptive statistics and analytical studies in support of agency functions.
Used in the development of professional papers that are distributed to various aviation organizations and the general public as required.
To provide data for the Automated Comprehensive Airman Information System (CAIS).
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on magnetic tapes, in file folders, and on magnetic disk.

Retrievability: Data are retrieved by name, date of birth and sex, social security numbers, airman numbers, and accident number.

Safeguards: Magnetic disk and magnetic tape - data can only be retrieved by computer operators through batch process methods.

File folders are maintained in a secured work area - files when not in use are kept in locked cabinets accessible to persons with a need to know.

Retention and disposal: Raw files are destroyed after 3 years by shredding the ADP documents.

Magnetic tapes are updated monthly, records retained up to 10 years, magnetic disk updated continuously.

System manager(s) and address: Chief, Safety Data Branch,
Flight Standards Technical Division,
Aeronautical Center,
Oklahoma City, OK 73125.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,
800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Data are collected from individuals, manufacturers of aircraft, maintenance inspectors, accident investigators, witnesses to accident, and involved passengers.

DOT/FAA 805.

System name: Administrative Action and Legal Enforcement System DOT/FAA.

System location: Portions of this system are maintained in the:
Office of the Chief Counsel,
FAA,
800 Independence Avenue, SW,
Washington, DC 20591.
and the:
Safety Data Branch,
Aeronautical Center,
Oklahoma City, OK 73125.
Originals and copies of some records are maintained in field offices and Flight Standards and Regional Counsel's offices in the Region of occurrence.

Categories of individuals covered by the system: Records in this system are on individuals against whom FAA has taken administrative action or legal enforcement action for violation of certain Federal Aviation Regulations.

Individuals or companies holding Federal Aviation Administration certificates.
Persons charged with violating FAA regulations.
Persons allegedly violating FAA regulations.
Applicants who have been denied airman medical certificates.
Persons denied certificates or allegedly violating FAA regulations who have appealed to the National Transportation Safety Board (NTSB) or the courts.

Categories of records in the system: Safety Compliance Notices.

Letters of Reprimand.
Letters of Correction.
Final action legal documents in enforcement cases.
Enforcement and airman medical denial cases on appeal to NTSB.
Summary of violation reports and enforcement actions.
Correspondence of Regional Counsels in enforcement cases.
Violation reports on alleged FAA certificate violations other than medical certificates. These reports include certificate number and/or social security numbers of alleged violators.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records relating to final legal enforcement and administrative actions are disclosed, upon request, to members of the public and other government agencies.

Disclosed to the Department of Justice and the NTSB.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in file cabinets and on magnetic tape.

Retrievability: Records in this system are filed chronologically and cross indexed alphabetically by name.

Safeguards: Records are kept in lockable file cabinets. Magnetic tape is kept in a secured data processing facility.

Retention and disposal: Aeronautical Center records are transferred to the Federal Records Center after 6 years where they are destroyed after 4 years.

Washington records are sent to the Federal Records Center when the case is closed where general aviation cases are destroyed after 1 year and Air Carrier cases are destroyed after 2 years.
Monthly ADP printouts are destroyed each month. Annual printouts are retained permanently.

System manager(s) and address: For official agency legal enforcement action records:
Chief, Statistics and Dockets Section,
Enforcement Division,
Office of the Chief Counsel,
FAA,
800 Independence Avenue, SW,
Washington, DC 20591.
Regional counsel and Flight Standards offices in the region of occurrence or the chief of the field office that made the charge maintain selected records.
For administrative action records:
Chief, Safety Data Branch,
Aeronautical Center,
Oklahoma City, OK 73125 and Flight Standard office and Regional Counsel in the region of occurrence.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,
800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Regional counsel, NTSB, Flight Standards personnel, Aeronautical Center personnel, Office of Chief Counsel.

Systems exempted from certain provisions of the act: System is exempt from certain subsections of the Privacy Act. The purpose of these exemptions is to protect investigatory materials compiled for law enforcement purposes. Disclosure of such material would hamper law enforcement by prematurely disclosing the knowledge of illegal activity and the evidentiary basis for possible enforcement actions. The exemption rule may be found on page 49887 of the Friday, October 24, 1975, issue of the Federal Register.

DOT/FAA 806.

System name: Federal Aviation Administration Employee Payable System DOT/FAA.

System location: Financial Systems and Accounting Operations Divisions, Washington, D.C., and each region and center accounting division. Working copies of certain of these records are held by the organizations employing the personnel and at emergency operations facilities.

Categories of individuals covered by the system: Federal Aviation Administration employees and civilians who work for the United States Coast Guard.

Categories of records in the system: This system contains those records required to insure that an employee receives his or her pay and benefits required by law. It includes Employee Master Record, Annual Leave Payroll Register, FAA Bond Deductions and Bond Issued, Union Dues, FICA Records, City Withholdings, State Withholdings, Federal Withholdings, Retirement, Leave Without Pay, Pay Scale, Contributions, Travel Orders, Travel Advances, Travel Vouchers, Time and Attendance, Overtime, claims relating thereto.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This System is used to:

Calculate pay and allowances due to employees.
Prepare annual report and reconcile with Gen. Ledger Accounts.
Record permanent pay changes.
Record temporary pay changes.
Notify employees of pay adjustments processed.
Record travel advances and allowances.

List leave earned, taken, and/or lost and new balances for employees.
Test run against Employee Master Record to reflect missing T&A cards of employees.
Summarize earnings, deductions, and leave by pay periods, and produce statement for employee information.
Provide management information on an as required, ad hoc basis.
Produce history of checks and bonds to be issued and magnetic tape sent to Treasury for their issuance.
Report dues deducted by individuals to Unions.
Report amounts withheld to credit financial institutions, charitable organizations and professional associations.
Quarterly summary of earnings and deductions.
Adjudicate claims for reimbursements which are sent to GAO.
Extract list of FICA employees for reporting earnings and deductions to IRS.
Report State and local tax withholding to various States and local taxing authorities and to IRS.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored on punch cards, magnetic tape, magnetic disk, microforms, and in file folders. Storage is at the geographic location of the servicing accounting office and the central payroll operations facility.

Retrievability: Records are maintained by employee name and employee payroll number. Social Security Account Numbers are often used as the employee payroll number. Retrieval is often accomplished by use of telecommunications.

Safeguards: Magnetic tape and disk files are kept with limited accessibility by agency personnel. Other files are retained mainly in unsecured work area but are locked during non-duty hours.

Retention and disposal: Employee Retirement records are retained until such time as the employee leaves the agency whereupon these records are transferred to the CSC. Original payment vouchers and supporting documentation are usually retained on site for a period of three years, and then are stored in GSA Records Centers before destruction when ten years and three months old. Certain payroll records are retained permanently at the GSA National Personnel Records Center and others are destroyed after GAO audit or when no longer useful. See FAA Order 1350.15A for records in the 2710 and the 2730 series for specific details on individual records covered by this system.

System manager(s) and address: Chiefs, Financial Systems and Accounting Operations Divisions,

800 Independence Avenue, SW,
Washington, DC 20591.
Chief, Accounting Division, Regional Office and Centers address listed in FAA National Field Directory, 1000.23G.

Notification procedure: Individuals wishing to know if their records appear in this system may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Data are collected from the individual employees, time and attendance clerks, and FAA Personnel Management Operations Divisions.

DOT/FAA 807.

System name: Police Warrant File and Central Files DOT/FAA.

System location:

Police Branches,
Washington National and Dulles International Airports.
Investigation and Security Division,
Aeronautical Center,
Oklahoma City, OK 73125.

Categories of individuals covered by the system: Individuals failing to pay Violation Notices and individuals involved in a situation requiring a police report.

Individuals cited for parking and a traffic violation.
Individuals having criminal records.

Categories of records in the system: Individual Case File, file cards with warrant numbers, arrest records, traffic accident records, injury reports, loss, theft and complaints reports, traffic violations notice files.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used to carry out such required functions as:

Check for wanted individuals and vehicles.
Vehicle registration information.
Prior offense status, to testify in court hearings, to assist in case preparation by U.S. Attorney's Office.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders. Stored in metal file cabinets.

Retrievability: Data are retrievable by individual name and/or cross referenced to a warrant number as a case file number.

Safeguards: Files are retained in a secured work area accessible only by consent of guard on duty.

Retention and disposal: Warrants are disposed of when warrant has been paid, case files are kept permanently. Records of citations destroyed after 1 year.

System manager(s) and address: Director, Metropolitan Washington Airport Service,

Washington National Airport,
Hangar 9,
Washington, DC 20001.
Chief of Investigation and Security Division,
Aeronautical Center,
Oklahoma City, OK 73125.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Agency employees, arresting officers, investigating officers, other agencies, witnesses.

Systems exempted from certain provisions of the act: System is exempt from certain subsections of the Privacy Act. The purpose of the exemption is to prevent compromise or impairment of criminal investigations conducted by the Airport Police Branches. The exemption rule may be found on page 49887 of the Friday, October 24, 1975, issue of the Federal Register.

DOT/FAA 809.

System name: Motor Vehicle Operator/Examiner System DOT/FAA.

System location: These records are maintained in the offices of those organizations throughout the FAA who have vehicle licensing and operations functional responsibility.

Categories of individuals covered by the system: This system of records contains information regarding all FAA employees who are licensed to drive and/or operate government vehicles.

Categories of records in the system: This system of records contains license applications which include the most recent 5-year record of traffic violations (except parking), arrests or summons, traffic accidents, suspensions or revocations of drivers licenses; tests, safe driving awards; physical qualifications; and related correspondence.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Determine qualifications and fitness for issuance, revocation, or renewal of operator's identification card.

Processing of tort claims.
Source of data for legal inquiry.
Prepare analytical and statistical studies and reports.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file cabinets and computers.

Retrievability: These records are indexed by name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: These records are destroyed 3 years after separation of the employee or 3 years after recision of authorization to operate government-owned vehicles whichever is earlier.

System manager(s) and address: Local FAA Motor Vehicle Management Officers.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Information contained in this system comes from the individual and other public sources.

DOT/FAA 810.

System name: Discrimination Complaint Files DOT/FAA.

System location: These records are maintained at FAA regional and center Civil Rights Offices and at the FAA Office of Civil Rights in Washington, D.C.

Categories of individuals covered by the system: This system of records contains information regarding FAA employees, applicants for FAA employment, contractors, sponsors and members of the public who are directly or indirectly involved in a discrimination complaint filed with FAA.

Categories of records in the system: Case files developed in processing complaints of discrimination.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Investigation of alleged discrimination.

Preparation of analytical and statistical studies and reports.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in approved security files and containers.

Retrievability: These records are retrieved by name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: These records are destroyed 5 years after the final decision is rendered.

System manager(s) and address: Director, Office of Civil Rights, ACR-1, FAA,

800 Independence Avenue, SW,
Washington, DC 20591.
and regional and center Civil Rights Offices.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Information contained in this system comes from complaints filed by complainants; EEO counselor reports; investigative reports; and departmental decisions.

DOT/FAA 811.

System name: Employee Health Record System DOT/FAA.

System location: These records are maintained at DOT regional, center and Washington medical facilities or other government health units servicing the employees' geographic locations.

Categories of individuals covered by the system: This system of records contains information regarding DOT employees.

Categories of records in the system: This system of records contains documents constituting the basic medical record of a DOT employee, including medical examination reports, laboratory findings, correspondence, retirement, fitness for duty examinations, health and physical training records, and related papers.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To document employee health unit visits and nature of complaint or physical examination findings, treatment rendered and case disposition. To be used by agency officials and consultants to determine employee fitness for duty or employment.

To monitor the physical condition of employees enrolled in the DOT Employee Fitness Program.
To prepare analytical and statistical studies and reports.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in approved security files and containers, on magnetic tape and magnetic disk.

Retrievability: These records are indexed by name and social security number.

Safeguards: Access to and use of these records in manual or automated form is limited to those persons whose official duties require such access. This record management principle is reinforced by appropriate physical, technical and administrative safeguards as prescribed by FAA Security directives applicable to both manual and automated record systems.

Retention and disposal: These records are destroyed 20 years after the date of last entry.

System manager(s) and address: Regional Flight Surgeon within region where examination was conducted.

Chief, Aeromedical Clinical Branch, AAC-160
Aeronautical Center, Oklahoma City, Oklahoma.
Chief, Aeromedical Services Division,
Washington, DC 20591
Manager, DOT Employee Fitness Center,
Washington, DC 20590
Chief, Occupational Health Division, AAM-400
Washington, DC 20591

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegatee, 800 Independence Avenue, S.W., Washington, DC 20591 or the Assistant Secretary for Administration or his delegatee, Department of Transportation, 400 Seventh Street, S.W., Washington, DC 20590.

Record source categories: Information contained in this system comes from the employee and from attending physicians and nurses and from associated medical reports.

DOT/FAA 812.

System name: System Error Reporting Program DOT/FAA

System location: FAA, Air Traffic Service, Evaluation Staff, Washington, D.C. Regional Air Traffic Division, and all Air Traffic field facilities.

Categories of individuals covered by the system: Any Air Traffic Control Specialist involved in a system error.

Categories of records in the system: Reports/computer printouts before July 19, 1976, which can contain name of individual, performance appraisal data, disciplinary actions, age, grade, date of birth, physical examination, medical information and home address. Reports/computer printouts after July 19, 1976, which can contain name of individual, age, grade, entrance on duty FAA, and entrance on duty at the facility.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Statistical analysis for policy development and release to the public under the Freedom of Information Act.

Released for investigative purposes to the NTSB in the case of accident/ incident/or violation.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All data are stored on magnetic tape or disk file and file folders.

Retrievability: Data is filed in random order within the computer with selections capable of being made by name of region, facility, date of occurrence, or name of individual. File folders are indexed by a regional system error number, facility system error number, and date of occurrence.

Safeguards: Security code for computer program is limited to those who have a need to know.

Retention and disposal: Records are maintained as active files for 2-1/2 years, then stored on magnetic tapes indefinitely.

System manager(s) and address: Chief, Evaluation Staff, AAT-20,
Air Traffic Service, FAA,
Washington, DC 20591
the FAA Regional Air Traffic Division Chiefs, and field facilities where error occurred.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,
800 Independence Avenue, SW,
Washington, DC 20591.

DOT/FAA 813.

System name: Civil Aviation Security System DOT/FAA.

System location: These records are maintained at FAA Air Transportation Security Field Offices, regional Air Transportation Security Divisions, and at the Civil Aviation Security Service in Washington, D.C.

Categories of individuals covered by the system: This system of records contains information regarding hijackers, potential hijackers, extortionists, terrorists, and other individuals who have been involved or might be involved in crimes against civil aviation.

Categories of records in the system: This system of records contains information regarding hijacking incidents, potential or suspected hijackers, explosives or devices found on aircraft or at airports, attempts to board aircraft with concealed weapons, and other civil aviation criminal acts.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In the event that a system of records maintained by the Federal Aviation Administration to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule regulation or order issued pursuant thereto.

Source of data regarding air piracy threats for dissemination to airport and air carrier security officers.
Preparation of Alerts and Bulletins on threats to civil aviation.
Preparation of summaries for development/change of security procedures in civil aviation.
Respond to authorized inquiries.
Preparation of analytical and statistical studies and reports.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in approved security files and containers.

Retrievability: These records are indexed by name and or incident.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: These records are maintained up to 4 years after which they are updated, revised, retired, or destroyed.

System manager(s) and address: Chief, Operations Liaison Staff, ACS-20,
Civil Aviation Security Service,
Federal Aviation Administration,
800 Independence Avenue, SW,
Washington, DC 20591, and regional Air Transportation Security organizations.

Notification procedure: Individuals wishing to see their records may appear in person or submit in writing a request identifying record desired.

For identification an individual must submit his or her name to the System Manager.

Record access procedures: Individuals who desire information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,
800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Information contained in this system comes from other FAA records; Federal, State, or local agencies; foreign sources; public record sources; and third parties.

Systems exempted from certain provisions of the act: System is exempt from certain subsections of the Privacy Act. The purpose of these exemptions is to protect investigatory material compiled for law enforcement purposes and to prevent the disclosure of material authorized to be kept secret in the interest of the national defense or foreign policy in accordance with 5 U.S.C. (552 (b)(1) and 552a (k)(1). Disclosure of investigatory material would hamper law enforcement by prematurely disclosing the knowledge of illegal activity and the evidentiary basis for possible enforcement actions. The exemption rule may be found on page 22564 of the Friday, June 4, 1976, issue of the Federal Register.

DOT/FAA 814.

System name: Equal Employment Opportunity Minority/Female Statistical Reporting System DOT/FAA.

System location: These records are maintained at FAA regional and center Civil Rights Offices and at the FAA Office of Civil Rights in Washington, D.C.

Categories of individuals covered by the system: This system of records contains information on all FAA employees.

Categories of records in the system: This system of records contains information (187 data elements) such as name, organization, social security number, racial background, etc.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Monitor and evaluate status and progress of minority/female employment.

Preparation of analytical and statistical studies and reports.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are in the form of magnetic tape and computer listings and are stored in magnetic tape security areas and in file cabinets.

Retrievability: These records are retrieved by name or Social Security Number.

Safeguards: Access to data in this system is limited to the Director, Office of Civil Rights, or to those authorized by him.

Retention and disposal: This system is updated monthly and the replaced master tape is reused in the normal data processing manner.

System manager(s) and address: Director, Office of Civil Rights,
FAA,
800 Independence Avenue, SW,
Washington, DC 20591 and regional and center Civil Rights Offices.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,
800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Personal observation.
Self identification.
Manpower records.
Organization records.

DOT/FAA 815.

System name: Investigative Record System. DOT/FAA.

System location: These records are maintained at FAA regional Air Transportation Security Divisions and center Investigations and Security Divisions, Office of Investigations and Security in Washington, D.C., and Federal Records Centers.

Categories of individuals covered by the system: Current and former applicants for FAA employment.
Current and former FAA employees.
Individuals considered for access to classified information or restricted areas and/or security determinations as contractors, employees of contractors, experts, instructors, and consultants to Federal programs.
Aircraft owners.
Flight Instructors.
Pilots.
Mechanics.
Designated FAA representatives.
Other individuals certificated by FAA.
Individuals involved in tort claims against the FAA.
Employees, grantees, subgrantees, contractors, subcontractors, and applicants for FAA funded programs.
Other individuals who are of investigative interest to FAA, law enforcement, or investigative agencies.

Categories of records in the system: Results of investigations and inquiries conducted by the Office of Investigations and Security; FAA regional Air Transportation Security Divisions and center Investigations and Security Divisions; information received in various formats from, and results of investigations conducted by Federal, State, and local investigative or law enforcement agencies which relate to the mission and function of the Office of Investigations and Security and field elements.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In the event of an indication of any violation or potential violation of the law, whether civil, criminal, or regulatory in nature, and whether arising by statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing Such referral shall also include, and be deemed to authorize,

(1) any and all appropriate and necessary uses of such records in a court of law and before an administrative board or hearing, including referrals related to probation and parole matters, and
(2) such other inter-agency referrals as may be necessary to carry out the receiving agency's assigned law enforcement duties, or general crime prevention and detection efforts.

To authorized officers and employees of FAA and other agencies and departments of the Federal Government, and the District of Columbia Government, having an interest in the individual for employment purposes, including a security clearance or access determination, and a need to evaluate qualifications, suitability, and loyalty to the United States Government.
To officials from FAA and DOT administrative, operating and regulatory components who require access to the record to fulfill their responsibilities contained in Executive Orders, Civil Service Commission Regulations, Federal Aviation Regulations and Orders or Federal statutes.
To authorized representatives of Federal agencies and departments who require access to the file pursuant to an investigation or inquiry conducted under appropriate statutes, Executive Orders or administrative procedures of Federal Government. This can include investigations completed by FAA and referred to other Federal agencies for further investigation, prosecution or administrative action.
To authorized officers and employees of FAA having the responsibility to grant security clearance, make determinations regarding access to classified information or restricted areas, or to evaluate qualifications, suitability, or loyalty to the United States Government, in connection with performance of a service to the Federal Government under a contract or other agreement.
To authorized representatives of U.S. air carriers where air safety might be affected.
As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals).
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in approved security file cabinets and containers.

Retrievability: These records are indexed alphabetically by name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: These records are destroyed or retired to the area Federal Records Center and then destroyed in accordance with FAA Order 1350.15, Records Organization Transfer and Destruction Standards.
The retention and destruction period for each record varies depending on the type of record, category of investigation, or significance of the information contained in the record.
All records are destroyed by approved methods.

System manager(s) and address: The FAA Investigative Record System is decentralized and requests for such records should be directed to the appropriate System Manager as follows:
For the Washington Metropolitan area, excluding Eastern Region jurisdiction:
Director of Investigations and Security
800 Independence Avenue, SW,
Washington, DC 20591.
For the geographical area under the jurisdiction of the various regions:
Chief, Air Transportation Security Division, of the appropriate region. (See the FAA National Field Directory, 1000.23F, for addresses).
For the jurisdiction of the National Aviation Facilities Experimental Center (NAFEC):
Chief, Investigations and Security Division,
NAFEC,
Atlantic City, NJ 08405.
For the jurisdiction of the Aeronautical Center:
Chief, Investigations and Security Division,
Aeronautical Center,
Oklahoma City, OK 73126.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or to her by addressing a written request to any of the Systems Managers identified above. The request should include the full name and date and place of birth of the individual, and any available information regarding the type of record involved, and the category of individual under which the requester feels he or she fits.

Record access procedures: Individuals who wish to gain access to such records should contact the System Manager. However investigative data compiled for law enforcement purposes may be exempt from the access provision pursuant to 5 U.S.C. 552a(k)(2) and (k)(5).

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,
800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: These records contain information obtained from interviews, review of records, and other authorized, applicable investigative techniques.

Systems exempted from certain provisions of the act: System is exempt from certain subsections of the Privacy Act. The purpose of the exemption is to protect materials classified in the national interest and to protect investigatory materials compiled for law enforcement purposes. Exemptions have been published in the Federal Register for this system. The exemptions may be applied pursuant to 5 U.S.C. 552 a(k)(1), (k)(2), and (k)(5).

DOT/FAA 816.

System name: Tort Claims and Personal Property Claims Record System DOT/FAA.

System location: These records are maintained at regional and center FAA Counsel Offices and Logistics Divisions.

Categories of individuals covered by the system: This system of records contains information regarding tort and property claimants who have filed claims against the Government/FAA.

Categories of records in the system: This system of records contains reports, vouchers, witness statements, legal decisions, and related material pertaining to claims by or against the Government resulting from FAA transactions, other than litigation cases.

Approved claims are sent to the Accounting Division for certification and payment by Treasury check.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Investigation purposes.

Reference purposes.
Court action.
Doubtful claims are sent by Accounting Division to GAO for adjudication.
Some larger claims go to Department of Justice for approval or disapproval.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in approved file cabinets and containers.

Retrievability: These records are indexed by name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: These records are destroyed 3 years after the final decision is rendered.

System manager(s) and address: Regional and center counsels.

Notification procedure: Individuals who wish to know if they appear in this system should contact the system manager.

Record access procedures: Individuals who wish to gain access to their records should contact the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the

Associate Administrator for Administration,
800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Claimant, investigation reports, and courts.

DOT/FAA 817.

System name: Emergency Operations Staffing Assignment DOT/FAA.

System location: These records are maintained at region, center, and Washington headquarters.

Categories of individuals covered by the system: This system of records contains information on FAA employees.

Categories of records in the system: This system of records contains information such as name, address and telephone numbers.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contact FAA personnel for emergency readiness purposes.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in file folders and/or file cabinets.

Retrievability: These records are retrieved by name.

Safeguards: Access to data in this system is limited to those persons whose official duties require such access.

Retention and disposal: These records are destroyed when superseded or obsolete.

System manager(s) and address: Region, center and Washington headquarters Emergency Planning Officers.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue SW,
Washington, DC 20591.

Record source categories: Employees and employees records.

DOT/FAA 818.

System name: Statement of Employment and Financial Interest DOT/FAA.

System location: These statements are filed at FAA regional, center and Washington headquarters locations.

Categories of individuals covered by the system: Selected FAA employees, GS-13 and above, occupying positions as reflected in Part 99 of the DOT Regulations. This regulation can be found in FAA Order 3750.3A and is identified in this directive as Appendix C.

Categories of records in the system: This system of records contains information regarding an employee's present position; his connections or financial interest, if any, with corporations, companies, firms or other business enterprises, partnerships, nonprofit organizations, and educational or other institutions; names of creditor; interest in real property or rights in lands; and names of other persons who are authorized by the employee to supply further information.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To enable Reviewing Officials to determine whether or not an employee's functions or assignments, actual or proposed, could result in a conflict of interest.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders and secure files.

Retrievability: These records are indexed by the names of the individuals.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: These records are maintained up to 2 years after the employee is separated. At this time, all his statements and supplements are destroyed.

System manager(s) and address: The employee's Reviewing Official maintains control of these statements.

Notification procedure: An employee may inquire about the status of his Confidential Statement of Employment and Financial Interest file at any time. All inquiries should be directed to the employee's Reviewing Official or his supervisor.

Record access procedures: Employees who wish to gain access to their records should contact their Reviewing Official.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591

Record source categories: Information contained in this system either comes from the individual or from those designated as authorized sources.

DOT/FAA 819.

System name: Psychological Support for Air Traffic Controller Health Program and Air Traffic Controller Applicant Screening System DOT/FAA.

System location: Behavioral Science Division,

Office of Aviation Medicine,
Federal Aviation Administration,
800 Independence Avenue, SW,
Washington, DC 20591.
Regional Flight Surgeons in region where individual is employed.

Categories of individuals covered by the system: Air Traffic Control Specialist, applicants for air traffic control specialist.

Categories of records in the system: Psychological test results.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To assist the agency in determining an individual's fitness to be a controller.

To assist the agency in establishing Job Standards.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders on magnetic tape and on punch cards and answer sheets.

Retrievability: Files are retrieved by name, date of birth, and sex.

Safeguards: File cabinets are kept locked when not in use.

Magnetic tape and computer program used with the tapes are under the control of those who have a need to know.
Answer sheets are destroyed after input to computer.
Punch cards are stored in card files.

Retention and disposal: Records are retained as historical statistical records.

System manager(s) and address: Chief, Behavioral Science Division,

Office of Aviation Medicine,
Federal Aviation Administration,
800 Independence Avenue, SW,
Washington, DC 20591.
Regional Flight Surgeons in region where individual is employed.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: All the data in this system are collected from the individual applicants and controllers.

DOT/FAA 820.

System name: Pending legislation (Employee's) - Private Relief and Public/Private Laws (Employee's) Private Reliefs DOT/FAA.

System location: This system of records is located in the Office of Chief Counsel, Federal Aviation Administration, 800 Independence Avenue, S. W., Washington, D. C. 20591.

Categories of individuals covered by the system: FAA employees for whom private relief legislation has been introduced in Congress.

Categories of records in the system: Travel information, litigation reports, collection vouchers, and real estate contracts.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system is for reference in order to formulate FAA's position on proposed private relief legislation for FAA employees. All information is released to the Office of Management and Budget.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is stored in file cabinets.

Retrievability: Data are indexed and retrieved by name of employee and employee number.

Safeguards: No special safeguards required.

Retention and disposal: Records are transferred to Federal Records Center or destroyed when no longer needed.

System manager(s) and address: Legislative Assistant,

Legislative Staff,
Office of Chief Counsel,
FAA, 800 Independence Avenue, SW,
Washington, DC 20591.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Data are obtained from members of Congress and FAA records.

DOT/FAA 821.

System name: Litigation Information Management Systems DOT/FAA.

System location: This system of records is maintained within the Office of the Chief Counsel, FAA, 800 Independence Avenue, S. W. , Washington, D. C. 20591.

Categories of individuals covered by the system: This file contains information on Litigants, Claimants, Witnesses, Decedents, Plaintiff's Attorney, FAA Attorney and Department of Justice Attorney.

Categories of records in the system: Litigation and claim pleadings, discovery material, related documents (including background data on individual, or decedent involved), memoranda, correspondence, and other material necessary to respond to claims or prepare for litigation or hearings. Types of claims or litigation: aircraft accidents, auto accidents, personnel and general litigation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The documents are produced or used in and for litigation and claims. These documents are disclosed to the Department of Justice. See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data are stored in lockable and unlockable file cabinets, individuals attorneys' offices, binders, index files and in computers.

Retrievability: Access is by name, location of accident, and/or docket number.

Safeguards: Data from these files are retrievable only by persons within the Office of the Chief Counsel or Regional Counsels.

Retention and disposal: Litigation files are kept for 2 years after case is closed, then sent to the Federal Records Center. All other records in this system are retained indefinitely.

System manager(s) and address: Chief,

Litigation Division,
Office of Chief Counsel,
Federal Aviation Administration,
800 Independence Avenue, SW,
Washington, DC 20591.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Employees of the Office of Chief Counsel, Federal courts, individuals and their attorney, FAA records, litigation files, etc.

DOT/FAA 822.

System name: Aviation Medical Examiner System DOT/FAA.

System location: Aeromedical Education Branch,

Civil Aeromedical Institute,
Aeronautical Center,
Oklahoma City, OK 73125.
Regional Flight Surgeons in all regional headquarters.

Categories of individuals covered by the system: Private physicians appointed as Aviation Medical Examiners and selected military units through agreement with the Surgeon Generals.

Categories of records in the system: The system includes records necessary to the operation of the system to establish qualifications of physicians, identification as to location within the system, actual performance in support of the system and records pertaining to training received from the system.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: By the Aeromedical Education Branch, AME Section, to determine training needs.

By Regional Flight Surgeons to evaluate the physician's performance in the AME System and determine reappointments.
By the Office of Aviation Medicine in Washington, D.C., in policy determination.
By General Aviation District Offices in locating and obtaining support of qualified AMEs.
By private organizations needing to contact and utilize the physician's services in his capacity of an AME.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Card file, file folders, magnetic tapes, and hard copy.

Retrievability: Information stored by Region, State, Name, and Control Number.

Safeguards: File rooms with restricted access, three-combination safe with accesss by authorized personnel.

Retention and disposal: Paper designated examiner case files are retained until the physician is designated. Paper records of designations are transferred to the Federal Records Center after 10 years and destroyed after 25 years. Magnetic tapes of designations are updated continuously.

System manager(s) and address: Records from Master files:

Chief, Aeromedical Education Branch,
Aeronautical Center,
Oklahoma City, OK 73125.
Regional files from Regional Flight Surgeon within Region wherein the AME is appointed.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Information is obtained from the Aviation Medical Examiners themselves.

DOT/FAA 823.

System name: Working Level Personnel Folder System DOT/FAA.

System location: This system of records is found at all FAA field offices physically separated from the Personnel Office which maintains the employee's Official Personnel Folder.

Categories of individuals covered by the system: This system contains information regarding FAA employees.

Categories of records in the system: This system contains only information regarding the employee's experience, education, training, special qualifications and skills, position description, performance appraisals and conduct.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To assist local supervisors in managing their personnel more effectively.

To assist in the development and implementation of a viable employee productivity improvement program.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These files are stored in file cabinets.

Retrievability: These files are retrieved by name.

Safeguards: Access and use of these files are limited to those whose official duties require such access.

Retention and disposal: These files are destroyed 3 months after transfer or termination of service.

System manager(s) and address: FAA Field Office Supervisors.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Information in this system of records either comes from the individual to whom it applies or is derived from information he supplied.

DOT/FAA 824.

System name: Medical Exemptions - Public Dockets DOT/FAA.

System location: Department of Transportation, The Office of the Chief Counsel,

FAA,
800 Independence Avenue, SW,
Washington, DC 20591.

Categories of individuals covered by the system: Persons petitioning for a medical exemption under Federal Aviation Regulations.

Categories of records in the system: Petitions for exemption, supporting and supplementary documentation submitted by petitioners, correspondence, and the grant or denial of the exemption.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Compliance with statutory and regulatory provisions for public accessibility to rulemaking actions.

Disclosure to general public and other agencies.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Original and copies of records in file folders.

Retrievability: Retrieved by exemption number, docket number, or alphabetical listing of petitioner names.

Safeguards: Access through request to Docket Specialist.

Retention and disposal: Dockets are retained indefinitely; destruction not authorized.

System manager(s) and address: Docket and Regulations Specialist,

Office of the Chief Counsel,
FAA,
800 Independence Avenue, SW,
Washington, DC 20591.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Office of Aviation Medicine, FAA,

800 Independence Avenue, SW,
Washington, DC 20591.

DOT/FAA 825.

System name: Petitions for Rulemaking - Public Dockets DOT/FAA.

System location: Located in the Office of the Chief Counsel, Federal Aviation Administration, Washington, D.C. 20591.

Categories of individuals covered by the system: Persons petitioning for a change in the Federal Aviation Regulations.

Categories of records in the system: Petitions for rulemaking, correspondence, documents showing disposition of the petition and public comments on any resulting NPRM.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Compliance with statutory and regulatory provisions for public accessibility to rulemaking actions.

Disclosure to general public and other government agencies.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Original and copies of records are stored in unlocked file cabinets.

Retrievability: Retrieved by exemption number, docket number, or alphabetical listing of petitioner names.

Safeguards: Access through request to Dockets Specialist.

Retention and disposal: Transferred to Federal Records Center when inactive; destruction not authorized.

System manager(s) and address: Docket and Regulations Specialist,

Office of the Chief COunsel,
FAA,
800 Independence Avenue, SW,
Washington, DC 20591.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Petitions for rulemaking.

DOT/FAA 826.

System name: Petitions for Exemption (Other than Medical Exemption) - Public Dockets DOT/FAA.

System location: Located in the Office of the Chief Counsel, FAA, Washington, D.C.

Categories of individuals covered by the system: Persons petitioning for an exemption (other than medical) under the Federal Aviation Regulations.

Categories of records in the system: Petitions for exemptions, supplementary information, and correspondence.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Compliance with statutory and regulatory provisions for public accessibility to rulemaking actions.

Disclosure to general public and other government agencies.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Original and copies of records stored in unlocked file cabinets.

Retrievability: Retrieved by exemption number, docket number, or alphabetical listing of petitioner names.

Safeguards: Access through request to Dockets Specialist.

Retention and disposal: Transferred to Federal Records Center when inactive; destruction not authorized.

System manager(s) and address: Docket & Regulations Specialist, AGC-24,

Office of the Chief Counsel,
FAA,
800 Independence Avenue, SW,
Washington, DC 20591.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Petitions for exemptions.

DOT/FAA 827.

System name: Environmental Litigation Files DOT/FAA.

System location: Located in the Office of the Chief Counsel, FAA, Washington, D.C.

Categories of individuals covered by the system: Litigants, witnesses, plaintiff's attorney, FAA attorney, Department of Justice Attorney, etc.

Categories of records in the system: Information on litigation, pleadings, discovery material, related documents. (including background data on individual involved), memoranda, correspondence, and other material necessary to respond to claim or prepare for litigation or hearings.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Litigation; documents are produced or used in and for litigation and are disclosed to the Department of Justice.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders stored in locked and unlocked file cabinets and individual attorney's offices.

Retrievability: Retrieved by caption of the particular litigation.

Safeguards: Access by Office of Chief Counsel personnel only.

Retention and disposal: Files are kept for 2 years after case has been closed and then sent to Records Center.

System manager(s) and address: Chief, Environmental Staff,

Office of the Chief Counsel,
FAA,
800 Independence Avenue, SW,
Washington, DC 20591.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Federal courts, individuals and their attorneys, FAA records, litigation files, etc.

DOT/FAA 828.

System name: Physiological Training System DOT/FAA.

System location: Aeromedical Education Branch,

Civil Aeromedical Institute,
Aeronautical Center,
Oklahoma City, OK 73125.

Categories of individuals covered by the system: The training is primarily of benefit to pilots. It is also recommended for other air crew personnel, Air Traffic Controllers, Aviation Medical Examiners, and other personnel from the national aviation system.

Categories of records in the system: The system includes records necessary to establish qualifications of eligibility to receive physiological training, maintain accountability of funds required for training and transfer of funds to involved agencies, and to provide proper evidence of training.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: By the Aeromedical Education Branch, Physiological Operations and Training Section, to determine training qualifications.

By the Accounting Division, General Accounting Branch, for receipt and transfer of training funds.
By the Aeromedical Education Branch, Physiological Operations and Training Section, to provide proper evidence of training.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Card file, and file folders.

Retrievability: Information files by name and location of training.

Safeguards: Files access restricted to Aeromedical Education Branch personnel.

Retention and disposal: Files are retained for 5 years after completion of training and then destroyed.

System manager(s) and address: Chief, Aeromedical Education Branch,

Aeronautical Center,
Oklahoma City, OK 73125.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Information is obtained from the individuals themselves.

DOT/FAA 829.

System name: Working Level Files for Employees assigned overseas (Permanently and TDY) and Employees Transferred to an International Organization DOT/FAA.

System location: These records are maintained in the FAA Office of International Aviation Affairs (OIAA), Washington, D.C.

Categories of individuals covered by the system: All employees that go on overseas assignments, for OIAA, ICAO, and employees on temporary foreign travel for FAA.

Categories of records in the system: This system of records contains: name; date and place of birth; names and dates of birth of dependents; position title; grade and salary; marital status, education; knowledge of foreign language(s); home address and phone number; country and medical clearances (DSL-820 and DS-823), medical waivers, listing of all employees cleared or issued medical waivers by Department of State; professed religion; check, savings, allotment, and savings bonds mailing information; information concerning shipment of household and personal effects, storage, automobile and allowances; training records (Foreign Service Institute and Agency for International Development); tort claims; travel vouchers; SF-50 (for employees transferred to an International Organization).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to obtain country clearances for overseas assignments.

To provide AID and DOS with required information relating to medical and emergency evacuation, emergency travel, etc.
To compile reports and provide listings to the Department of State (verbal and written).
To obtain approval for foreign travel, passport and visa services.
To enroll employees in training.
To prepare travel orders and vouchers.
To determine allowable allowances and other benefits.
To provide information to embassies in countries of assignment.
To obtain medical and security clearances.
To intercede for employees concerning salary, personnel actions, allowances, leave and benefits.
To verify medical claims.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These files are stored in locked cabinets.

Retrievability: Retrieved by name.

Safeguards: Access and use are limited to those whose official duties require such access.

Retention and disposal: Are destroyed 3 years after termination of employee's service.

System manager(s) and address: Executive Officer, Office of International Aviation Affairs,

Federal Aviation Administration,
800 Independence Avenue, SW,
Washington, DC 20591.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Information in this system of records either comes from the individual to whom it applies or is derived from information he supplied.

DOT/FAA 830.

System name: Representatives of the Administrator DOT/FAA.

System location: This system is located and maintained as a decentralized system with all designations being maintained at General Aviation District Offices, Air Carrier District Offices, Flight Standards District Offices, Engineering and Manufacturing District Offices, Air Traffic and Aviation Medicine Headquarters, regional or field offices that designate Air Traffic Control Tower Operator Examiners, Aviation Medical Examiners, Forensic Pathologists, and the international field offices where designations were made with lists of certain categories of representatives maintained by individual FAA Regional Offices to whom the designating field offices report, and with master lists of certain categories of representatives maintained at the Aeronautical Center and FAA Headquarters, Washington, D.C.

Categories of individuals covered by the system: Aviation Medical Examiners, Pilot Examiners, Technical Personnel Examiners, designated Aircraft Maintenance Inspectors, designated Engineering Representatives, and designated Manufacturing Inspection Representatives.

Categories of records in the system: Records on qualification, certification, and appointment authorization.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide a data base for management use of the numbers and qualifications of individuals designated as representatives.

To facilitate written and oral communication between the FAA and its representatives.
To provide the public with the names and addresses of certain categories of representatives who may provide service to them.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders and card files.

Retrievability: Records are filed by designee name and retrieved by same.

Safeguards: Records are stored in lockable file cabinets.

Retention and disposal: Records are retained during the life of the designated, then destroyed 2 years after expiration of the designation.

System manager(s) and address: Chief of the office where the designation was made.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Information in this system of records either comes from the individual to whom it applies or is derived from information he supplied.

DOT/FAA 831.

System name: Standard Procedure Uniform Reporting System (SPUR) DOT/FAA.

System location: This system is located at all General Aviation District Offices (GADO), Air Carrier District Offices (ACDO), Flight Standards District Offices (FSDO) in all regions.

Categories of individuals covered by the system: Pilots, mechanics, parachute rigger examiners, flight instructors, authorized inspectors, air taxi operators, and avionics examiners.

Categories of records in the system: Accident reports, supplement reports, remedial checks, violations, records of inspections, surveillance and certification.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Aids supervisors in developing work plans and work measurements to accomplish agency mission.

Release to state aviation authorities for seminars and workshops.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Posted on big board in office and in file cabinets in office.

Retrievability: Data are retrieved by name of individual to be examined.

Safeguards: Data are available only in the conduct of official business.

Retention and disposal: When the individual is no longer affiliated with the agency, or no further action is required.

System manager(s) and address: Chief of the GADO, ACDO, FSDO in region where individual is operating or assigned.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: By the applicant, by inspector surveillance, or by being reported by an FAA official.

DOT/FAA 832.

System name: Pilot/Flight Engineer/Navigator Flight Record System DOT/FAA.

System location: Aircraft Management Branch, Headquarters, Washington, D.C. Aeronautical Center, Oklahoma City, Oklahoma; NAFSE; Atlantic City, New Jersey; and all regional offices.

Categories of individuals covered by the system: All FAA pilots, flight engineers and navigators assigned to FAA Flight Programs.

Categories of records in the system: Flight check records, list showing flight time, certifications and flight logs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used by flight program management personnel to determine qualifications of crewmembers to:

Fly agency aircraft.
Utilize rental aircraft.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored on magnetic tape, cardex files, and in file folders.

Retrievability: Records are retrieved by employee name and crewmember number.

Safeguards: Records are stored in a restricted, controlled-access area and are used only in the conduct of official business.

Retention and disposal: Cardex and folder files are destroyed one year after pilot's separation and transfer from agency. Magnetic tape is updated periodically.

System manager(s) and address: Chief, Planning and Scheduling Branch, AAC-850.

Aeronautical Center,
Oklahoma City, OK 73125.
Chief, Aircraft Programs Division,
Flight Standards Service,
FAA,
Washington, DC 20591.
or Aircraft Management Branch in region where employed.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Flight check records submitted by the individual to whom the record pertains; reports submitted by the pilot in command of each flight.

DOT/FAA 833.

System name: Housing Management Monthly Report, RIS: AL-4930-3 DOT/FAA.

System location: Alaskan Regional Office,

632 W. Sixth Avenue
Anchorage, AK 99501.

Categories of individuals covered by the system: Names of employees occupying FAA owned or leased housing.

Names of employees and agencies who lease FAA housing in Alaska.

Categories of records in the system: Housing records, leases, maintenance bills, damage reports.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Maintain percentage of occupancy.

Maintain up-to-date record of maintenance cost.
Maintain up-to-date list of persons occupying FAA units.
Provide above information to Sector Managers.
Provide above information to local station.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Filing cabinet, Housing Management, AAL-52D.

Retrievability: Station location.

Unit numbers.
Name of employee.
Number of dependents.
Pay period rental rate.

Safeguards: Retrieved only by agency personnel and used only in the conduct of official business.

Retention and disposal: Monthly records are destroyed upon receipt of next month's ADP run.

End of year reports are retained.

System manager(s) and address: Housing Management Officer, AAL-52D

632 W. Sixth Avenue,
Anchorage, AK 99501.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Employees.

Employees of other agencies that lease housing from FAA.

DOT/FAA 834.

System name: Commissary Billing DOT/FAA.

System location: FAA, Alaskan Region, Anchorage, Alaska.

Categories of individuals covered by the system: FAA Employees.

Categories of records in the system: Commissary Billing Invoices.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Bill FAA employees for goods received from the FAA Commissary.

Commissary sales analysis.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Data processing cards.

Retrievability: Organization, Voucher Number, Name.

Safeguards: Restricted computer room access and used only in the conduct of official business.

Retention and disposal: Data processing cards held for 30 days after last use, then placed in trash.

File folders held 2 years, then destroyed at dump.

System manager(s) and address: Chief, Accounting Division, AAL-20,

FAA,
632 Sixth Avenue, Anchorage, AK 99501.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Individuals requesting goods from the FAA Commissary.

DOT/FAA 835.

System name: Work Scheduling and Management System DOT/FAA.

System location: This system of records is located at all levels of supervision and management within FAA.

Categories of individuals covered by the system: Agency employees.

Categories of records in the system: This system contains records required by supervisors and managers to assign and record the assignment of projects, shifts, and other duties to agency employees such as:

Duty rosters.
List of employees by watch, shift, unit, or other work group.
Work, training, and leave schedules.
In addition, it may contain information about certificated schools, airman repair stations, and other similar aviation related people and activities needed to help supervisors assign work related to these organizations and people.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system of records is used to:

Assign tasks and projects to individual employees or groups of employees.
Assign workers to shift and hours of duty.
Assign individuals to training, leave, and other administrative activities.
Record work assigned and performed by individual employees or groups of employees.
Record available work force and their status and distribution.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on display boards, black boards, loose leaf notebooks, file folders, and similar informal storage devices.

Retrievability: Records are retrievable by name, organization, project title, or other similar work-related identifier.

Safeguards: Files are controlled by the supervisor and are used only in the conduct of official business.

Retention and disposal: These records are continuously changed and purged as work assignments change and people are reassigned.

System manager(s) and address: Supervisors of field offices, regions and centers, and Washington organizations.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Information is obtained from personnel records and from the individual employee.

DOT/FAA 837.

System name: Photographs and Biographical Information DOT/FAA.

System location: Office of Public Affairs,

FAA,
800 Independence Avenue, SW,
Washington, DC 20591.
And
Public Affairs Offices at the following FAA Regions and Centers:
Aeronautical Center,
P.O. Box 25082,
Oklahoma City, OK 73125.
Alaskan Region,
632 Sixth Avenue,
Anchorage, AK 99501.
Central Region,
601 East 12th Street,
Kansas City, MO 64106.
Eastern Region,
Federal Bldg., JFK International Airport,
Jamaica, NY 11430.
Great Lakes Region,
2300 E. Devon Avenue,
Des Plaines, IL 60018.
National Aviation Facilities Experimental Center,
Atlantic City, NJ 08405.
New England Region,
12 New England Executive Park,
Burlington, MA 01803.
Northwest Region,
FAA Building, Boeing Field,
Seattle, WA 98108.
Pacific-Asia Region,
P.O. Box 4009,
Honolulu, HA 96813.
Rocky Mountain Region,
10455 E. 25th Ave.
Aurora, CO 80010.
Southern Region,
P.O. Box 20636,
Atlanta, GA 30320.
Southwest Region,
P.O. Box 1689,
Fort Worth, TX 76101.
Western Region,
P.O. Box 92007,
World Way Postal Center,
Los Angeles, CA 90009.

Categories of individuals covered by the system: FAA employees and other individuals who may appear with them in candid photographs.

Categories of records in the system: Biographical data; portrait and candid photographs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is maintained to provide information to the public--particularly the news media--and for use in employee publications. See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored in file cabinets.

Retrievability: Records indexed alphabetically by name or subject.

Safeguards: Access through request to the System Manager. These records are used only in the conduct of official business.

Retention and disposal: Materials retained as long as individual or event is newsworthy, following which they are destroyed. In certain cases, material is retained for historical purposes.

System manager(s) and address: Assistant Administrator for Public Affairs and Public Affairs Officers at above addresses.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: FAA employees and other individuals who may appear with them in candid photographs.

DOT/FAA 838.

System name: Congressional/Employment Inquiry Files DOT/FAA.

System location: Office of Personnel and Training, Personnel Staffing and Benefits Branch, Personnel Programs Division, and Em-

ployment Branch, Personnel Management Operations Division, Washington, D. C. 20591.

Categories of individuals covered by the system: Current and former FAA employees and applicants for FAA employment.

Categories of records in the system: Correspondence submitted by, or on behalf of, an individual including applications, resumes, reference letters and inquiries on the status of circumstances surrounding the application, employment situation or separation from FAA employment.

Responses to such correspondence.
Staff recommendations and supporting information.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by FAA officials to provide information to a Congressional office from the record of the individual in response to an inquiry from a Congressional office made at the request of that individual.

Used by FAA officials for referral to the appropriate FAA action office for preparation of recommendations and responses to inquiries.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in file folders.

Retrievability: The records are indexed by individual's name.

Safeguards: The records are located in lockable metal file cabinets with access limited to those whose official duties require access.

Retention and disposal: The records are retained for 2 years from the date of the most recent inquiry with the exception of International Civil Aviation Organization (ICAO) records. Inquiries from ICAO concerning employees being considered for transfer or detail to ICAO are retained until the employee separates from FAA. They are then disposed of by shredding.

System manager(s) and address: Chiefs,

Employment Branch, APT-150, and Personnel Staffing and Benefits Branch, APT-220,
Federal Aviation Administration,
800 Independence Avenue, SW,
Washington, DC 20591.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Information in this system of records either comes from the individual to whom it applies or is derived from information the individual supplied or was supplied on his/her behalf. Other information may be supplied by FAA officials.

DOT/FAA 839.

System name: Printing Branch Distribution System DOT/FAA.

System location: FAA Office of Management Systems,

Data Processing Center, AMS-350
400 7th St., S.W.
Washington, DC 20591.

Categories of individuals covered by the system: Individuals or governmental agencies interested in receiving Federal Aviation Documents.

Categories of records in the system: Names and addresses of those individuals and/or governmental organizations wishing to be placed on the mailing lists for FAR's, AC's, NPRM's, the AIM, and various miscellaneous publications.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To serve as a comprehensive mailing list of individuals and/or governmental agencies for dissemination of all and/or specific parts of FAR's, AC's, NPRM's, the AIM, and various miscellaneous publications.

Subject system of records correlates or matches specific consumer information requirements to subject category information contained in the FAR's, AC's, NPRM's, the AIM, and miscellaneous publications, thereby reducing printing costs and, at the same time, satisfying the particular needs and interests of the recipients of desired information.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored on magnetic tape.

Retrievability: Records are retrieved by record identification numbers (state code, city code, first five characters of last name of customer, and first initial of customer).

Safeguards: Magnetic Tape - Data can only be retrieved by computer operators as authorized by the System Manager or delegate.

Requests for disclosure of and access to records are screened carefully and must satisfy the 'need-to-know' policy.
The file room is open to agency personnel only.

Retention and disposal: Magnetic tapes are updated annually as a result of canvassing, and retention and disposal of records are governed by consumer requests, in writing.

System manager(s) and address: Chief, Systems Support Division, AMS-100,

Office of Management Systems,
FAA,
800 Independence Avenue, SW,
Washington, DC 20591.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Information is obtained from:

Aviation Medical Examiners.
General aviation public.
Consumers and consumer organizations.
Other government agencies.
Libraries.
Army, Navy, Air Force, etc.

DOT/FAA 840.

System name: Federal Aviation Administration (FAA) Maintenance Base Personnel Training Records System DOT/FAA.

System location: All FAA maintenance bases.

Categories of individuals covered by the system: FAA maintenance base personnel.

Categories of records in the system: Dates of attendance for all types of training, including: on-the-job training; formal classroom training; maintenance orientation; special situation training, new employee indoctrination; management training; and non-resident training.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: By agency officials, supervisors, and foremen to determine qualifications of repairmen and inspectors.

By agency officials to determine training requirements.
See Prefatory Statement of Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored in file cabinets and file folders.

Retrievability: Records are indexed by employee name alphabetically, and are retrieved by name.

Safeguards: Records are stored in steel file cabinets which are locked when not in use.

Retention and disposal: Records are retained for the duration of employment as a maintenance base employee; are transferred with the employee when appropriate; and are destroyed by burning or shredding upon termination of employment.

System manager(s) and address: Supervisors of FAA maintenance bases.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Agency training records, and supervisor's training certifications.

DOT/FAA 841.

System name: NAFEC Manpower Requirements Information System (MARQUIS) DOT/FAA.

System location: National Aviation Facilities Experimental Center (NAFEC),

Atlantic City, NJ 08405.

Categories of individuals covered by the system: All center personnel (except tenants and contractors) by specialized skills.

Categories of records in the system: Identification data, education level and history, current technical assignment (including expected completion date), skills (derived from specialized skills indexed), training and work experience background, and licenses and certificates.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To locate employees with the skills or combination of skills needed for specified current or future program assignments.

Identify employees qualified for detail or possible reassignment to new, special, or higher priority program activities.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored on magnetic tapes, selected printouts in file folders in EMS staff and personnel management staff offices.

Retrievability: Selected according to skill requirement, name, employee number, location, grade, job title and series, education level, current technical assignment skill(s) and training and work experience background.

Safeguards: Authorized by Chief, Engineering Management Staff, (NAFEC), ANA-4.

User ID number for access to data banks and printouts are stored in a secure cabinet in ANA-4. These records are used only in the conduct of official business.

Retention and disposal: Magnetic tape storage updated continuously. Printouts destroyed after use.

System manager(s) and address: Chief, Engineering Management Staff, ANA-4,

NAFEC,
Atlantic City, NJ 08405.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves contained in this system of records should contact or address inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Individual center employees.

DOT/FAA 842.

System name: Federal Air Marshal Program Management System DOT/FAA.

System location: Civil Aviation Security Service,

Air operations Security Division,
Federal Aviation Administration,
800 Independence Avenue, SW,
Washington, DC 20591.

Categories of individuals covered by the system: This system of records contains information on present FAA employees who have been or are participants in the Federal Air Marshal program.

Categories of records in the system: This system consists of a variety of records necessary to manage the Federal Air Marshal program.

These records include information about the medical/physical fitness, weapons proficiency and training qualifications of each individual.
Also included in the system are documents pertaining to deputation as Deputy U.S. Marshal, equipment issued and other related papers and background information.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system is used to:

Record qualifications of Air Marshals (weapon, physical, medical).
Maintain current record of weapon and equipment issued.
Record training completed.
Record previous experience, background information.
Record schedule assignments.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by name of individual.

Safeguards: Records are maintained in approved security files and containers. Access to and use of these records is limited to those persons whose official duties require such access.

Retention and disposal: Records are kept indefinitely.

System manager(s) and address: Chief, Air Operations Security Division, ACS-100,

Civil Aviation Security Service,
Federal Aviation Administration,
800 Independence Avenue, SW,
Washington, DC 20591.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves contained in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: Information is obtained from the individual to whom it applies, from other FAA records which contain information supplied by the individual, and from results of training.

DOT/FAA 843.

System name: FAA World Magazine Address System

System location: DOT/M-482.2, Washington, D. C.

Categories of individuals covered by the system: Non-FAA employees.

Categories of records in the system: Address labels, master list (names, addresses)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Mailing of FAA World to retirees, governmental and union offices, libraries, industry PR offices, publication exchanges and DOT internal distribution.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: This is a limited list supplementing FAA Facility distribution.

Storage: Standard card and Xerox list.

Retrievability: By name or routing symbol.

Safeguards: Card and Xerox list available only to authorized DOT personnel.

Retention and disposal: Periodic canvassing and culling.

System manager(s) and address: Assistant Administrator,

Office of Public Affairs,
Federal Aviation Administration,
800 Independence Avenue, SW,
Washington, DC 20591.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the Administrator or his delegate,

800 Independence Avenue, SW,
Washington, DC 20591.

Record source categories: All sources, on a voluntary basis.

DOT/FAA 844.

System name: FAA Airplane Noise Complaint System, DOT/FAA.

System location: Federal Aviation Administration Office of Environmental Quality 800 Independence Avenue, SW Washington, DC 20591

Categories of individuals covered by the system: Individuals who complain to the FAA about airplane noise at Dulles and National Airports in the Washington, DC area and in the vicinity of JFK Airport in New York.

Categories of records in the system: Name, address, date, time of day of complaint, and category of complaint which may include one or more of the following: a) Excessive noise b) Structure disturbance; e.g., vibrating windows c) Activity interruption; e.g., sleep disturbance d) Perceived danger e) Animal disturbance f) Flying too low g) Other; e.g., caused earache

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic Tape. Original record of complaint will be destroyed following transfer of information to tape.

Retrievability: By last name, address, complaint category, time of complaint.

Safeguards: Directly concerned employees will be briefed in the provisions and requirements of the Privacy Act of 1974. These employees will be counseled as to the absolute requirements for confidentiality of the records under their control. They will be informed that appropriate disciplinary action will be taken for failure to comply with this requirement. Access to the system of records will be possible only to those agency employees with knowledge of a regularly changed password. The password will be conceived by the System Manager and divulged only to directly concerned employees. The original record will be destroyed following transfer of information to magnetic tape.

Retention and disposal: Records are kept indefinitely.

System manager(s) and address: Director, Office of Environmental Quality, AEQ-1, Federal Aviation Administration, 800 Independence Avenue, SW Washington, DC 20591 In order to increase the level of safety of the proposed system of records, no other individuals will be designated for the position of System Manager.

Notification procedure: Individuals wishing to know if information pertaining to them appears in this system of records may inquire in person or in writing to the System Manager. The inquirer's name and address will be required in order to ascertain whether the system contains a record about that individual.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: All anticipated disclosures of records in the FAA Airplane Noise Complaint System will be to those officers and employees of the DOT and FAA who have a need for the record in the performance of their duties, thus bringing the system within the scope of 5 U.S.C. 552a(b)(1). No routine uses under 552a(b)(3) are anticipated other than those set forth in the Prefatory Statement of Routine Uses applicable to all DOT/FAA Systems of Records, which appeared in the Federal Register on September 19, 1977, (42 F.R. 47038).

Record access procedures: Individuals who desire access to information about themselves in this system of records should either contact in person or address their written inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves in this system of records should contact or address their inquiries to the Administrator or his delegate at the following address: Department of Transportation Federal Aviation Administration, Office of the Administrator, 800 Independence Avenue, SW Washington, DC 20591

Record source categories: Information is obtained from individual noise complaints, on a voluntary basis. No specific forms will be used to obtain this information.

DOT/FHWA 202.

System name: University and Industry Programs Coding and Filing System. DOT/FHWA.

System location: Department of Transportation (DOT),

Federal Highway Administration (FHWA),
National Highway Institute, 400 7th Street, SW, Room 4207,
Washington, DC 20590.

Categories of individuals covered by the system: Current and prior year candidates for FHWA fellowships/scholarships employees of FHWA and State and local transportation agencies.

Categories of records in the system: Applications for fellowships.

Transcripts of grades.
Follow-up evaluation reports.
Study progress reports.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Applications and transcripts used by fellowship selection panel.

Study progress reports and follow-up evaluation reports used by the National Highway Institute in program evaluation.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Name.

Safeguards: Stored in file cabinets.

Retention and disposal: 5 years - discarded in trash.

System manager(s) and address: Administrative Assistant, Department of Transportation,

Federal Highway Administration,
National Highway Institute,
400 7th Street, SW, Room 4206,
Washington, DC 20590.

Notification procedure: Any individual that has applied for a fellowship/scholarship may obtain such information by written request to the Institute. The requestor should know the year of his application.

Record access procedures: May be obtained from the 'System Manager' at the address given above.

Contesting record procedures: May be obtained from the 'System Manager' at the address given above.

Record source categories: The information comes from individual applications, reports prepared by the individuals and their faculty advisors, and college transcripts.

DOT/FHWA 204.

System name: FHWA Motor Carrier Safety Proposed Civil and Criminal Enforcement Cases. DOT/FHWA.

System location: Department of Transportation (DOT),

Federal Highway Administration (FHWA),
All FHWA Regional Offices except Region 15. (See 49 CFR Part 7 Appendix D for addresses).

Categories of individuals covered by the system: Officers, agents or employees of motor carriers, including drivers who have been the subject of investigation for Motor Carrier Safety regulation violations.

Categories of records in the system: This system of records contains information pertaining to Motor Carrier safety regulation violations and identifying features.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records are used for referral to U.S. Attorney civil proceedings or referred to other agencies for criminal or civil investigation of other Federal violations.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders in the Regional Counsel's Office.

Retrievability: These records are indexed by names of motor carriers or individuals.

Safeguards: The records are marked 'Confidential.' Only Regional Counsel Office employees or Bureau of Motor Carrier Safety (BMCS) employees have access to the files.

Retention and disposal: The records are retained for one year and then are sent to the Central Files for an additional three year period.

System manager(s) and address:

FHWA, Regional Counsel,
FHWA, Regional Offices (See 49 CFR Part 7 Appendix D for addresses except Region 15, where there is none.)

Notification procedure: Same as 'System Manager'.

Record access procedures: Same as 'System Manager'.

Contesting record procedures: Same as 'System Manager'.

Record source categories: Individuals, motor carrier files, and BMCS files, etc., as gathered by BMCS investigators.

Systems exempted from certain provisions of the act: Pursuant to (k) (2) of 5 U.S.C. 552a this system of records is exempt from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I) and (f).

DOT/FHWA 208.

System name: Application for U.S. Government Motor Vehicle Operator's Identification Card (U.S. Government Drivers License). DOT/FHWA.

System location: Department of Transportation (DOT),

Federal Highway Administration (FHWA),
Office of Management Systems, HMS-4,
400 7th Street, SW, Room 4317
Washington, DC 20590.
System is also maintained at:
All FHWA Regional and Division Offices (See 49 CFR Part 7 Appendix D for addresses).

Categories of individuals covered by the system: FHWA employees who have applied for Federal Government Drivers License.

Categories of records in the system: Application for Operator's Identification card, Form FHWA-133, and Physical Fitness Inquiry for Motor Vehicle Operators, Standard Form 47.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Identification of FHWA drivers, and qualification of the driver.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in a file cabinet in folders.

Retrievability: The system is indexed alphabetically by name of applicant.

Safeguards: Personnel screening.

Retention and disposal: Records are retained until expiration of licensing period.

System manager(s) and address: Occupational Safety Engineer,

Department of Transportation,
Federal Highway Administration,
400 7th Street, SW,
Washington, DC 20590.
Executive Officer in Regions; Administrative Managers in Divisions (See 49 CFR Part 7 Appendix D for addresses).

Notification procedure: The requester must provide his name, organizational element, and proper identification to the address in 'System Manager' above.

Record access procedures: Same as in 'System Manager' above.

Contesting record procedures: Same as in 'System Manager' above.

Record source categories: The information is provided by the individual on his application for an FHWA U.S. Government drivers license.

DOT/FHWA 209.

System name: Driver Accident Record Cross-Reference File. DOT/FHWA.

System location: Department of Transportation (DOT),

Federal Highway Administration (FHWA),
FHWA Regional Office,
Bureau of Motor Carrier Safety,
Room 210, Mohawk Building,
222 SW Morrison Street,
Portland, OR 97204.

Categories of individuals covered by the system: All Motor Carrier drivers who have had commercial accidents in the Region 10 geographic area and drivers from motor carriers based in Region 10 who have had commercial accidents anywhere in the United States.

Categories of records in the system: Card file and data tapes cross-referenced to motor carrier files.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To identify commercial drivers who have been involved in one or more commercial accidents.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on 3x5 index cards and data tapes.

Retrievability: Filed alphabetically by driver's name.

Safeguards: Personnel screening of those individuals requesting driver accident information.

Retention and disposal: Retained indefinitely until driver discontinues his line of work. Discarded in a trash receptacle.

System manager(s) and address:

FHWA Regional Director,
FHWA Regional Office,
Bureau of Motor Carrier Safety,
Room 210, Mohawk Building,
222 SW Morrison Street,
Portland, OR 97204.

Notification procedure: May be obtained upon request by supplying name to the address in 'System Manager' above.

Record access procedures: Same as in 'System Manager' above.

Contesting record procedures: Same as in 'System Manager'.

Record source categories: Accident information on the cards and data tapes is transposed from the Motor Carrier Safety Accident Forms (MCS 50-T) and State Police Accident Reports.

DOT/FHWA 210.

System name: Occupational Safety and Health Accident Reporting System. DOT/FHWA.

System location: Department of Transportation (DOT),

Federal Highway Administration (FHWA),
Office of Management Systems, HMS-4,
400 7th Street, SW, Room 4317,
Washington, DC 20590. Duplicate copies may be retained in Regional and Division offices (See 49 CFR Part 7 Appendix D for addresses).

Categories of individuals covered by the system: Any FHWA employee involved in an occupational accident.

Categories of records in the system: The system contains all type of occupational accidents such as, employees' injuries, occupational illnesses, motor vehicle, property damage, fire and explosion, vessel, train, and incidents not resulting in injuries or property damage.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The use and purpose of the information is to obtain information for accident prevention.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in a file cabinet in folders.

Retrievability: The system is indexed by organizational element and name.

Safeguards: Personnel screening.

Retention and disposal: Records are retained for five years as required by Occupational Safety and Health Act of 1970, as amended, Title 29, U.S.C., Part 1960, Safety and Health Provisions for Federal Employees. The records are then forwarded to the Records Center of Archives and Records Services, GSA.

System manager(s) and address: Occupational Safety Engineer,

Department of Transportation,
Federal Highway Administration,
Office of Management Systems,
400 7th Street, SW, Room 4317,
Washington, DC 20590.

Notification procedure: The requester must provide his name, organizational element, and/or date of the accident, and proper identification to address in 'System Manager' above.

Record access procedures: Same as in 'System Manager' above.

Contesting record procedures: Same as in 'System Manager' above.

Record source categories: The information is obtained from individuals involved in the accident, and by investigation by the individual's supervisors. Management obtains the information through investigation.

DOT/FHWA 211.

System name: Motor Carrier Accident File - Property and Passenger. DOT/FHWA.

System location: Department of Transportation (DOT),
Federal Highway Administration (FHWA),
400 7th Street, SW,
Washington, DC 20590.
(Hard copy is located in Room 4432-Magnetic tape storage is located in Room 2401.)
Hard copy is also stored in the Federal Records Center.

Categories of individuals covered by the system: Accidents reported by motor carriers of passengers and property.

Categories of records in the system: Motor Carrier Accident Report Form.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Compilation of data concerning accident frequency and causation.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Hard copy and magnetic tape.

Retrievability: Indexed by carrier name or driver's name.

Safeguards: Personnel screening.

Retention and disposal: Retained indefinitely - continuing data reference for comparison purposes.

System manager(s) and address:
Chief, Data Quality Branch, Department of Transportation,
Federal Highway Administration,
Office of Highway Safety,
Accident Analysis Division,
400 7th Street, SW, Room 3409,
Washington, DC 20590.

Notification procedure: Same as in 'System Manager' above.

Record access procedures: Information available upon request to Chief, Accident Analysis Branch, Regulations Division at the address in 'System Manager' above.

Contesting record procedures: Same as in 'System Manager' above.

Record source categories: Information supplied by motor carrier.

DOT/FHWA 212.

System name: Medals of Honor File. DOT/FHWA.

System location: Department of Transportation (DOT),
Federal Highway Administration (FHWA),
Bureau of Motor Carrier Safety,
Operations Division,
400 7th Street, SW, Room 3408,
Washington, DC 20590.

Categories of individuals covered by the system: Nominees and recipients of Presidential Medals of Honor for Lifesaving on Highways.

Categories of records in the system: Description of incidents, Investigator's report, and related correspondence.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Determination of applicability of Medals of Honor criteria, background information for preparation of Medal presentation.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folder, one file drawer.

Retrievability: Indexed by name of nominee/recipient.

Safeguards: Personnel screening.

Retention and disposal: Approximately two years retention after presentation or denial.

System manager(s) and address: Chief, Operations Division,
Department of Transportation,
Federal Highway Administration,
Bureau of Motor Carrier Safety,
400 7th Street, SW, Room 3408,
Washington, DC 20590.

Notification procedure: Same as in 'System Manager' above.

Record access procedures: Same as in 'System Manager' above.

Contesting record procedures: Same as in 'System Manager' above.

Record source categories: Medal of Honor Nomination.

DOT/FHWA 213.

System name: Driver Waiver File. DOT/FHWA.

System location: Department of Transportation (DOT),
Federal Highway Administration (FHWA),
Bureau of Motor Carrier Safety,
Regulations Division,
Driver Requirements Branch,
400 7th Street, SW, Room 3404,
Washington, DC 20590.

Categories of individuals covered by the system: Operators of interstate commercial vehicles transporting certain commodities.

Categories of records in the system: Application for waiver (usually involving physical disability).
Final disposition of request for waiver.
Waiver renewal.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Control of physically impaired operators of commercial motor vehicles.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folder, entire file cabinet.

Retrievability: Information retained by name.

Safeguards: File is classified as non-confidential. Accessible to certain employees of Regulations Division, Bureau of Motor Carrier Safety.

Retention and disposal: Files are retained while waiver is active. Inactive waiver files are purged each year.

System manager(s) and address: Chief, Driver Requirements Branch,
Department of Transportation,
Federal Highway Administration,
Bureau of Motor Carrier Safety,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Same as in 'System Manager' above.

Record access procedures: Requests for information should be made in writing to Chief, Driver Requirements Branch at the address in 'System Manager' above, giving name of individual.

Contesting record procedures: Same as in 'System Manager' above.

Record source categories: Information obtained from Application for Waiver or Waiver Renewal.

DOT/FHWA 215.

System name: Travel Advance File. DOT/FHWA.

System location: Department of Transportation (DOT),
Federal Highway Administration (FHWA),
Office of Fiscal Services,
400 7th Street, SW,
Washington, DC 20590.
All FHWA Regional Offices (See 49 CFR Part 7 Appendix D for addresses).

Categories of individuals covered by the system: Recipients of travel advances.

Categories of records in the system: Record of travel advances and repayments.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To control repayment of travel advances.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on a 5 x 8 inch form.

Retrievability: Indexed by name.

Safeguards: Records are maintained in a locked file.

Retention and disposal: Schedule 9, Travel and Transportation Records, of the General Records Schedules (FPMR 101-11.4).

System manager(s) and address: Chief, Voucher Review & Disbursement Section,
Department of Transportation,
Federal Highway Administration,
Office of Fiscal Services,
00 7th Street, SW,
Washington, DC 20590.

Notification procedure: Same as System Manager.

Record access procedures: Same as System Manager.

Contesting record procedures: Same as System Manager.

Record source categories: Individual on whom the record is maintained.

DOT/FHWA 216.

System name: Travel Voucher - Change of Duty Station. DOT/FHWA.

System location: Department of Transportation (DOT),
Federal Highway Administration (FHWA),
Office of Fiscal Services,
400 7th Street, SW ,
Washington, DC 20590.

Categories of individuals covered by the system: Employees reimbursed for change of duty station travel.

Categories of records in the system: Record of travel expenses claimed for change of duty station.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Record of travel expenses for change of duty station.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on a 8 x 10 inch form.

Retrievability: Indexed by name.

Safeguards: Supervised by the Chief, Voucher Review & Disbursements Section.

Retention and disposal: Schedule 9, Travel and Transportation Records, of the General Records Schedules (FPMR 101-11.4).

System manager(s) and address: Chief, Voucher Review & Disbursements Section,
Department of Transportation,
Federal Highway Administration,
Office of Fiscal Services,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Same as in 'System Manager' above.

Record access procedures: Same as in 'System Manager' above.

Contesting record procedures: Same as in 'System Manager' above.

Record source categories: Individual on whom the record is maintained.

DOT/FHWA 217.

System name: Accounts Receivable. DOT/FHWA.

System location: Department of Transportation (DOT),
Federal Highway Administration (FHWA),
Office of Fiscal Services,
400 7th Street, SW,
Washington, DC 20590.

Categories of individuals covered by the system: Individuals indebted to the Federal Highway Administration.

Categories of records in the system: Amount of indebtedness.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To control accounts receivable.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in indexed loose-leaf book.

Retrievability: By name.

Safeguards: Supervised by Chief, General Ledger and Funds Control Section.

Retention and disposal: Schedule 7, Expenditure Accounting Records, of General Records Schedules (FPMR-101-11.4).

System manager(s) and address: Chief, General Ledger & Funds Control Section,
Department of Transportation,
Federal Highway Administration,
Office of Fiscal Services,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Same as in 'System Manager' above.

Record access procedures: Same as in 'System Manager' above.

Contesting record procedures: Same as in 'System Manager' above.

Record source categories: Employer.

DOT/FHWA 219.

System name: Employee Utilization (monthly report). DOT/FHWA.

System location: Department of Transportation,
Federal Highway Administration,
Data Systems Division,
400 7th Street, SW, Room 2410,
Washington, DC 20590.

Categories of individuals covered by the system: All computer programmers and systems analysts in the Data Systems Division (DSD), FHWA.

Categories of records in the system: Working file (internal).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Basis for reimbursable charges for services to other organizational elements (computer program maintenance and/or development).

Basis for Planning Staff projections of current and future workloads; estimates, etc.
Can be used to evaluate employee proficiency and productivity.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer printouts and magnetic tape.

Retrievability: Organization, two digit employee numbers, Project #, operation code, date.

Safeguards: Secure building.

Retention and disposal: Magnetically recorded data is erased on a quarterly basis.

Printouts are usually destroyed on a monthly or quarterly basis.
One complete historical printout is retained by the planning staff for long range reference.

System manager(s) and address: Chief, Data System Division,
Department of Transportation,
Federal Highway Administration,
400 7th Street, SW, Room 2418,
Washington, DC 20590.

Notification procedure: Same as in 'System Manager' above.

Record access procedures: Same as in 'System Manager' above.

Contesting record procedures: Same as in 'System Manager' above.

Record source categories: Data Systems Division computer programmers and system analysts provide this information on a weekly basis - accounting for their various work activities plus leave, training, etc.

DOT/FHWA 220.

System name: Payroll Administration. DOT/FHWA.

System location: Department of Transportation (DOT),
Federal Highway Administration (FHWA),
FHWA Region 10,
Office of Federal Highway Projects,
610 E. Fifth Street,
Vancouver, WA 98661.
FHWA Region 8,
555 Zang Street,
P.O. Box 25246,
Denver, CO 80225.
Office of Fiscal Services,
400 7th Street, SW,
Washington, DC 20590.

Categories of individuals covered by the system: Employees of the following Headquarters Elements:

Department of Transportation.
Federal Highway Administration.
Office of the Secretary of Transportation.
Federal Railroad Administration.
National Highway Traffic Safety Administration.
Urban Mass Transportation Administration.
Also:
FHWA employees in Regions 8 and 10.
Employees of the National Transportation Safety Board.

Categories of records in the system: Contains all data relative to payrolling employees. Includes time, attendance, leave, gross pay and payroll deduction records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Payrolling and Leave Administration.

The purpose of each use of categories of records within the DOT/FHWA Payroll Administration is to enable the administration of the payroll function and related financial matters in accordance with applicable laws and regulations and to comply with the requirements of the Comptroller General.

System Uses:

1. For transmittal of data to U.S. Treasury to effect issuance of paychecks to employees and distribution of pay according to employee directions for savings bonds, allotments, financial institutions and other authorized purposes.
2. For reporting tax withholding to Internal Revenue Service and appropriate state and local taxing authoritites.
3. For FICA deductions to the Social Security Administration.
4. For dues deductions to labor unions.
5. For withholdings for Health Insurance, Retirement and Federal Employees Group Life Insurance to the U.S. Civil Service Commission.
6. For charity contribution deductions to agents of charitable institutions.
7. For annual W-2 statements to appropriate taxing authoritites and the individual.
8. For providing a permanent record of actions taken pertinent to the admini- stration of pay, leave and allowances.
9. For any of the routine uses specified in the Prefatory Statement.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File Folders.

Retrievability: By name.

Safeguards: Supervised by Chief, Payroll & Employee Records Section.

Retention and disposal: Schedule 2 of General Records Schedules Payrolling and Pay Administration Records (FPMR 101-11.4).

System manager(s) and address: Chief, Payroll & Employee Records Section,

Department of Transportation,
Federal Highway Administration,
Office of Fiscal Services,
400 7th Street, SW,
Washington, DC 20590.
Appropriate Finance Officer in FHWA Region 8 or 10.

Notification procedure: Same as in 'System Manager' above.

Record access procedures: Same as in 'System Manager' above.

Contesting record procedures: Same as in 'System Manager' above.

Record source categories: Individual on whom the record is maintained, Office of Personnel and Training, Federal, State and City Tax Regulations.

DOT/FHWA 221.

System name: Panel for the Santa Monica Demonstration Project.

System location: Held by Market Facts, Inc.,

100 So. Wacker Dr.,
Chicago, IL 60606,
for the Urban Planning Division,
Federal Highway Administration,
Department of Transportation,
400 7th Street, SW,
Washington, DC 20590.

Categories of individuals covered by the system: A random sample of residents from the Los Angeles area.

Categories of records in the system: Names, addresses and telephone numbers are located on the questionnaire. Information from the questionnaire is stored on magnetic tape and can be accessed by an identifying number (interview number). A list of names, addresses and phone numbers associated with the interview number are separately filed. The questionnaire contains information regarding:

Transportation commute patterns, frequency of mode use, trip characteristics, and satisfaction with various ways of traveling,
Perceptions and importance ratings of modal attributes; tradeoff data on required service levels,
Intentions to alter commuting behavior in response to various transportation system modifications,
Perceptions of service changes based on transportation management actions,
Perceived similarity of transportation modifications,
Sociodemographic information, e.g., age, race, income, sex, children.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Names are associated with the interview numbers after interviews are recorded. Information from the questionnaire is analyzed statistically without reference to any specific individual. The Urban Planning Division will use the data obtained from the surveys in the development of mode choice models, to assess transportation system modifications and to calibrate systematically induced mode shift models. Both the statistical analyses and statistical data will be made available to interested administrators in the Department of Transportation, Department of Energy as well as to the California State Department of Transportation and the Southern California Association of Governments. Other researchers interested in the Santa Monica transportation system management evaluation will also be given access to purely statistical information. Names, addresses and telephone numbers are retained for the sole purpose of locating the sample to be re-interviewed a second time.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The questionnaire is stored in a locked file cabinet in the Chicago Office of Market Facts, Inc. Two individuals have keys to the cabinet, Mr. Frank Griffiths, V.P. of Market Facts, and Mr. Bob Kranz, project analyst. There are three complete copies of the master list with names, and addresses and phone numbers; one is held by the field supervisor in Los Angeles, one by Mr. Bob Kranz, and by Mr. Frank Griffiths. The names and addresses were placed on labels to be attached to the questionnaires, under the supprvision of Mr. Frank Griffiths. No additional copies are to be made without approval of the Urban Planning Division, DOT. Magnetic tapes are stored in the tape libraries at Market Facts, Inc., and at the Department of Transportation. Again data from the tape can only be identified with an individual when the interview number is matched against a master list.

Retrievability: Questionnaire information is stored on tape and is retrievable only through and identifying number (Interview number). This must be matched with a list of interview numbers if it is necessary to associate with names. The questionnaires themselves can be accessed from the files only under the supervision of Mr. Frank Griffiths.

Safeguards: All identifying materials are under lock; only two individuals directly working on the project have keys to the files; a guard is on duty 24 hours a day. The list which assign names to interview numbers is kept separately from the data stored on tape.

Retention and disposal: The record list of names and interview numbers will be retained until Phase II interviewing and coding is completed. The questionnaire will be kept in locked-storage for three years to ensure accessibility if significant errors in transcription were to be determined.

System manager(s) and address: Mary Lynn Tischer

HHP-22,
Urban Planning Division,
FHWA,
DOT,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Inquiries should be directed to the System Manager.

Record access procedures: Contact System Manager for information on procedures for gaining access to records.

Contesting record procedures: Contact System Manager for information on procedures for contesting records.

Record source categories: Private list with no transmission expected.

DOT/FHWA 222

System name: Survey Assessing the Long-Term Effects of Relocation on Low-Income Groups

System location: Associate Consultants, Inc.

624 E Street, NW.
Washington, D.C. 20004 For the Federal Highway Administration, Socio-Economic Studies Division, HPP-40

Categories of individuals covered by the system: Selected heads of low-income households displaced by highway construction. Fifty to seventy-five respondents will be interviewed from each of the following highway relocation sites: Baltimore, Maryland; Wheeling, West Virginia; St. Petersburg, Florida; and Los Angeles, California.

Categories of records in the system: Information concerning the physical characteristics of the respondents' residences prior to and after relocation, payments for mortgages or rents and utilities, adequacy of community services, respondents' opinions of the relocation program, and sociodemographic information (e.g., age, race, income, sex, number of workers in household, transportation utilized, number of children).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Relocation Assistance Division of the Federal Highway Administration will use the conclusions drawn from the survey to: 1) Analyze the longer term effects of relocation on low-income families who were relocated due to highway projects under provisions of the 1970 Relocation Assistance Act; 2) Evaluate the long-term effectiveness of the Highway Relocation Programs in relocating displaced low-income families with a minimum of harm to their social and economic well-being; and 3) Recommend changes in the relocation program to minimize long-term transition problems of low income families due to relocation. State highway agencies may also use conclusions drawn from this study to modify the administration of their relocation programs.

See also prefatory statement of general routine uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic Tape

Retrievability: Serial number assigned to individual respondent.

Retrievability: a) Interviewers will keep respondent identifiers and information collected completely confidential b) Survey instruments containing respondent identifiers will be stored in locked cabinets or a locked room c) Respondent identifiers will not be on the magnetic tape containing responses from the interviews d) Upon completion of the pilot study, the list of respondent identifiers will be destroyed.

Retention and disposal: The list of respondent identifiers (names, addresses, and telephone numbers) will be retained until Phase II interviewing and coding is completed. The survey instruments and list of respondent identifiers will be destroyed upon completion of Phase II of the study. Statistical records of the questionnaire responses will be kept on tape and after completion of the main survey will be turned over to the Contract Technical Manager.

System manager(s) and address: Sociologist (Contract Technical Manager)

Socio-Economic Studies Division (HPP-40)
Office of Program and Policy Planning
Federal Highway Administration
Room 3327, 400 7th Street, SW.
Washington, D.C. 20590.

Notification procedure: Inquiries should be directed to the System Manager.

Record access procedures: Contact System Manager.

Contesting record procedures: All of the information in the survey will be supplied by the individual respondents.

DOT/FRA 100.

System name: Alaska Railroad Examination of Operating Personnel. DOT/FRA.

System location: Department of Transportation (DOT),

Federal Railroad Administration (FRA),
The Alaska Railroad,
Pouch 7-2111,
Anchorage, Alaska 99510.

Categories of individuals covered by the system: Alaska Railroad operating employees.

Categories of records in the system: Examination papers on rules and safety practices.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Determination of employees understanding of safety practices and rules of the Alaska Railroad.

Qualification for employment.
Review for promotion.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept under lock and key.

Only authorized Alaska Railroad officials can handle the examinations.

Retrievability: By name.

Safeguards: Access to examinations limited to Alaska Railroad officials only.

Retention and disposal: Examinations kept during employment of individual with Alaska Railroaad; upon termination, disposed of by destruction by either burning or shredding.

System manager(s) and address: Operations Officer,

Department of Transportation,
Federal Railroad Administration,
The Alaska Railroad,
Pouch 7-2111,
Anchorage, Alaska 99510.

Notification procedure: Individuals may request from the System Manager whether or not this system of records pertains to him.

Record access procedures: The System Manager may allow an individual to review his score on the examination.

Contesting record procedures: Contest of these records, if appropriate, is through the System Manager.

Record source categories: Official examination papers.

Systems exempted from certain provisions of the act: This system is exempted under Section 552a(K)6, 'testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal Service the disclosure of which would compromise the objectivity or fairness of the testing or examination process.'

DOT/FRA 101.

System name: Alaska Railroad Personnel and Pay Management Information System. DOT/FRA.

System location: Department of Transportation (DOT),

Federal Railroad Administration (FRA),
The Alaska Railroad,
Pouch 7-2111,
Anchorage, Alaska 99510.

Categories of individuals covered by the system: Alaska Railroad officials and employees.

Categories of records in the system: Time, attendance and leave.

Payroll data.
Payroll computation and history.
Personnel records.
Personnel Management Records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Personnel Status Reports.

Personnel Strength Reports.
Payroll computation and related reports.
Record of leave accrued and used.
Labor distribution and accounting reports.
Personnel management and budget reports.
Reports to Internal Revenue Service (IRS), U.S. Treasury, Civil Service Commission (CSC), etc.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Integrated data based on mag-tape.

Retrievability: By Name or I.D. Number.

Safeguards: Access to the data base is limited to computer programs. Outputs from computer programs are disclosed only to employees or officials in discharge of their official duties. Primary control is achieved through a separation of functions wherein no one person is responsible for the input processing and auditing of any given transaction.

Retention and disposal: Individual records are deleted from the automated data base at the end of the calendar year in which Alaska Railroad employment is terminated. Input document and printed outputs are disposed of by burning or shredding or transfer to a records center in accordance with established records disposition schedules.

System manager(s) and address: General Manager,

Department of Transportation,
Federal Railroad Administration,
The Alaska Railroad,
Pouch 7-2111,
Anchorage, Alaska 99510.

Notification procedure: The individual who feels that this system of records pertains to him may present himself to the General Manager, The Alaska Railroad requesting confirmation.

Record access procedures: Contact the system manager for access.

Contesting record procedures: In case of contest employee is instructed to first contact the immediate supervisor. Procedures are

established which permit an employee to pursue an appeal to the General Manager, The Alaska Railroad, then to the U.S. Civil Service Commission.

Record source categories: Official Personnel Folders.

Time, attendance and leave records.
Organizational code structure.
Computations and historical record of pay.

DOT/FRA 102.

System name: Alaska Railroad Security and Freight Claims Investigatory Files. DOT/FRA.

System location: Department of Transportation (DOT),

Federal Railroad Administration (FRA),
The Alaska Railroad,
Pouch 7-2111,
Anchorage, Alaska 99510.

Categories of individuals covered by the system: Employees of the Alaska Railroad.

Categories of records in the system: Investigatory files.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used in routine investigatory work for the DOT/Alaska Railroad Security and Freight Claims division.

Review by General Manager or his designee.
Review by General Counsel, Alaska Railroad.
May be forwarded to U.S. Attorney to assist in prosecution where warranted.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Locked in fire class C Safe with combination lock.

Retrievability: By name.

Safeguards: In addition to the combination safe only two officials of the railroad maintain the combination.

Retention and disposal: Records are maintained in the official safe for two years, then transferred to secured holding area for two years and then destroyed by burning or shredding.

System manager(s) and address: Chief, Security and Claims,

Department of Transportation,
Federal Railroad Administration,
The Alaska Railroad,
Pouch 7-2111,
Anchorage, Alaska 99510.

Notification procedure: Individual may confirm through the System Manager whether or not the System contains records on him or her.

Record access procedures: Access of records requires the individual to contact in person or in writing the System Manager. The records in this system are exempted by Section 552(k)(2) if investigatory matter is being pursued in a court case.

Contesting record procedures: However, contest procedures through the System Manager and the the General Manager are available if the investigatory files are maintained for general purposes. Confidentiality of sources will be maintained.

Record source categories: Personal information provided by individual.

Confidential Statements.
Photographs.

Systems exempted from certain provisions of the act: This system of records is exempted under Section 552a(1) (2); 'investigatory material compiled for law enforcement purposes other than material within the scope of subsection (j)(2) of this section: Provided, however, that if any individual is denied any right, privilege, or benefit that he would otherwise be entitled by Federal Law, or for which he would otherwise be eligible, as a result of the maintenance of such material, such material shall be provided to such individual, except to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.'

DOT/FRA 103.

System name: Application for Operator's (Vehicle) Identification Card. DOT/FRA.

System location: Department of Transportation (DOT),

Federal Railroad Administration,
Office of Administrative Operations, RAD-40,
400 7th Street, SW,
Washington, DC 20590.

Categories of individuals covered by the system: FRA employees applying for GSA motor vehicle operator license.

Categories of records in the system: Applications for motor vehicle operator license.

Physical fitness inquiry.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To issue operator's license.

Ensure applicants meet requirements.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Copies of basic documents.

Retrievability: By name.

Safeguards: Kept in file drawer.

Retention and disposal: Retained for three years. Disposal by shredding or burning.

System manager(s) and address: Acting Director, Office of Administrative Operations, RAD-40,

Department of Transportation,
Federal Railroad Administration,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Inquiries may be addressed to the System Manager either in person or in writing.

Record access procedures: Access of records requires the individual to contact in person or write the System Manager.

Contesting record procedures: Constest of a record is also through the System Manager, if resolvement is not possible through the System Manager an appeal may be filed in writing with the Secretary of Transportation addressed to the General Conounsel as follows:

Department of Transportation,
Federal Railroad Administration,
Office of the Chief Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Applications received from individuals for operator's license.

Physical fitness inquiry completed by applicant and signed by physician.

DOT/FRA 104.

System name: Confidential Statement of Employment and Financial Interest. DOT/FRA.

System location: Department of Transportation (DOT),

Federal Railroad Administration (FRA),
Office of the Chief Counsel,
400 7th Street, SW, Room 5101,
Washington, DC 20590.

Categories of individuals covered by the system: FRA Permanent Employees GS-13 and above, supervisors and procurement personnel.

Categories of records in the system: Standard Form on Employment and Financial Interest.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Review of Financial Interest to Employment.

Administrative References.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All records are maintained on standard form in a locked file cabinet located in the Chief Counsel's Office.

Retrievability: Records are indexed by name.

Safeguards: Physical security consists of locked file cabinet; records provided to individuals only after physical screening.

Retention and disposal: Records are maintained for a one year period. Upon receipt of new statements old records are removed and destroyed.

System manager(s) and address: Chief Counsel,

Department of Transportation,
Federal Railroad Administration,

Office of Chief Counsel,
400 7th Street, SW, Room 5101,
Washington, DC 20590.

Notification procedure: Requests for information about this system should be addressed to the System Manager either in person or in writing. Prior employees must provide notarized signature or provide valid social security number.

Record access procedures: Access to records requires the individual to contact in person or write the System Manager.

Contesting record procedures: Contest of a record is also through the System Manager. If a change is valid after agency review it will be made as requested.

Record source categories: Information is provided by the individual on Standard Form DOT F 3700.1, Confidential Statement of Employment and Financial Interest.

DOT/FRA 105.

System name: Employee Travel Records. DOT/FRA.

System location: Department of Transportation (DOT),
Federal Railroad Administration (FRA),
Office of Administrative Operations, RAD-40,
400 7th Street, SW,
Washington, DC 20590.

Categories of individuals covered by the system: All FRA employees.

Private persons issued invitational travel orders to confer on government problems.

Categories of records in the system: Travel logs.

Individual travel folders.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Provide back-up to support FRA General Accounting Ledger.

Analysis of travel trends.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in a file drawer secured with lock and key.

Retrievability: System is indexed by name.

Safeguards: Physical security maintained by secured file system.

Individuals requesting individual travel folders are screened by accounting personnel.

Retention and disposal: Records are maintained three years then forwarded to the Federal Records Center.

System manager(s) and address: Accounting Officer,
Department of Transportation,
Federal Railroad Administration,
Accounting Division,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Requests for information about this system should be addressed to the System Manager either in person or in writing.

Record access procedures: Access of records requires the individual to contact in person or in writing the System Manager.

Contesting record procedures: Initial contest of any record will be with the System Manager; if resolvement at this level is not satisfactory the individual may file an appeal in writing with the Secretary of Transportation addressed as follows:

Department of Transportation,
Federal Railroad Administration,
Office of the Chief Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Individual Travel Vouchers.

DOT/FRA 106.

System name: Occupational Safety and Health Reporting System. DOT/FRA.

System location: Department of Transportation (DOT),
Federal Railroad Administration (FRA),
Office of Administration,
Office of Administrative Operations, RAD-40,
400 7th Street, SW,
Washington, DC 20590.

Categories of individuals covered by the system: FRA employees (injury-illnesses).

FRA employees involved in government property accidents.

Categories of records in the system: Federal Occupational Injuries and Illnesses Survey (Standard Form OSHA-102).

Departmental Accident/Injury Reports DOT Forms 3902.1-8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Maintain accident records per departmental orders.

Provide data to Office of the Secretary.
Develop causative trends.
Use for corrective accident prevention.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on copies of basic documents.

Retrievability: By name.

Safeguards: Physical security consists of file drawer with data; records provided to authorized individuals by FRA Safety Manager after physical screening.

Retention and disposal: Records are retained for five years. Documents are then destroyed by shredding or burning.

System manager(s) and address: FRA Safety Manager, Department of Transportation,
Federal Railroad Administration,
Office of Administration,
Office of Administrative Operations, RAD-40,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Inquiries may be addressed to the Systems Manager either in person or in writing. If written the individual must provide a notarized signature, or provide a valid social security number.

Record access procedures: Access to records requires the individual to contact in person or write the System Manager.

Contesting record procedures: Contest of a record is also through the System Manager. If a change is valid after System Manager review it will be made as requested. If resolvement is not possible at this level an appeal may be filed in writing with the Secretary of Transportation addressed as follows:

Department of Transportation,
Federal Railroad Administration,
Office of the Chief Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Documents provided by the individual.

DOT/FRA 109.

System name: Office of Safety Past Employees Files. DOT/FRA.

System location: Department of Transportation (DOT),
Federal Railroad Administration (FRA),
Office of Safety, RSS-2,
400 7th Street, SW,
Washington, DC 20590.

Categories of individuals covered by the system: Past employees of the Office of Safety.

Categories of records in the system: Personnel information provided from Office of Safety Personnel Convenience File.

Standard Form 7-B listing name, salary, position title, organization, etc.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Provides historical reference on past Office of Safety employees.
Verification of employment of past employees.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Record maintained by locked conserv-a-file.

Retrievability: By name.

Safeguards: Physical security maintained by locked conserv-a-file.

Personnel are screened by Secretary, Associate Administrator or Deputy Administrator to insure that records are not released to unauthorized personnel.

Retention and disposal: Record maintained current at all times. No disposal.

System manager(s) and address: Deputy Associate Administrator for Safety,

Department of Transportation,
Federal Railroad Administration,
Office of Safety, RRS-2,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Requests for information about this system may be addressed to the System Manager either in person or in writing.

Record access procedures: Access of records requires the individual to contact in person or in writing the System Manager.

Contesting record procedures: Initial contest of any record will be with the System Manager if resolvement at this level is unsatisfactory. The individual may file an appeal in writing with the Secretary of Transportation addressed as follows:

Department of Transportation,
Federal Railroad Administration,
Office of the Chief Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Standard GSA Forms, SF-50, SF-1126.

DOT/FRA 112.

System name: Personnel and Pay Management Information System. DOT/FRA.

System location: Department of Transportation (DOT),

Federal Railroad Administration (FRA),
Office of Personnel and Training, RAD-10,
400 7th Street, SW, Room 5406,
Washington, DC 20590.

Categories of individuals covered by the system: Employees of the Federal Railroad Administration.

Categories of records in the system: Payroll data.

Personnel records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Personnel Status Reports.

Personnel Strength Reports.
Payroll computations and related reports.
Personnel Management and Budget Reports.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Integrated data based on magnetic tape, reports are prepared on computer readable form.

Retrievability: By name or I.D. number.

Safeguards: Access to programs limited to employees or officials of the Transportation Computer Center (TCC).

Retention and disposal: Individual records are deleted from automated data base at end of calendar year in which separation occurs.

Computer readable programs are destroyed in accordance with established internal procedures.

System manager(s) and address: Director, Office of Personnel and Training, RAD-10,

Department of Transportation,
Federal Railroad Administration,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Any individual who feels that this system of records pertains to him may visit or write the System Manager at the address in 'System Manager: requesting confirmation.

Record access procedures: Contact the System Mananger for access.

Contesting record procedures: Employee should, in case of contest, contact the System Manager. Procedures are established which permit an employee to pursue appeal through agency levels to U.S. Civil Service Commission.

Record source categories: Official personnel folders.

Time, attendance and leave records.
Organizational code structure.
Computations and historical records.

DOT/FRA 113.

System name: Regional Personnel Convenience Files. DOT/FRA.

System location: Department of Transportation (DOT),

Region 2, Federal Railroad Administration (FRA),
Independence Building, Room 1020,
434 Walnut Street,
Philadelphia, PA 19106.
Region 3, Federal Railroad Administration,
1568 Willingham Drive,
College Park, GA 30337.
Region 4, Federal Railroad Administration,
536 South Clark Street,
Chicago, IL 60605.
Region 5, Federal Railroad Administration,
819 Taylor Street, Room 11A23,
Fort Worth, TX 76102.
Region 6, Federal Railroad Administration,
450 Multnomah Building,
319 S. W. Pine Street,
Portland, OR 97204.
Region 7, Federal Railroad Administration,
2 Embarcadero, Suite 630,
San Francisco, CA 94111.
Region 8, Federal Railroad Administration,
911 Walnut Street,
Kansas City, MO 64106.

Categories of individuals covered by the system: Federal Supervisory Inspectors.

Federal Safety Inspectors.
Federal clerical personnel.
Regional Directors.

Categories of records in the system: Standard Form 52.

Standard Form 171.
Performance evaluations.
Within grade increases.
Travel authority and vouchers.
Use of Government-owned vehicles and authority.
Training records.
Payroll and leave records.
Copies of commendations and awards.
Work measurement records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

For the individual's use.
Schedule training.
Statistics to recommend personnel actions.
Administrative reference material.
Budgetary information material.
Technical information material.
Work territory assignments.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained from copies of original documents.

Retrievability: The system is indexed by name.

Safeguards: Physical security is maintained by locked file cabinets.

Any individual requesting data is screened by the Regional Director's secretary.

Retention and disposal: Personnel records are retained until employee is terminated, retired, or transferred.

Records are then disposed of as trash.
Records used for budgetary purposes are retained for 1 year then disposed of.

System manager(s) and address: The responsible System Manager for each regional system is the Regional Director. The location is identical to those previously listed.

Notification procedure: The individual may present himself to the Regional Office (Regional Director) to inquire about whether this system of records applies to him either in person or in writing.

Record access procedures: An individual may gain access to his records by request to the System Manager.

Contesting record procedures: Contest of these records will be at the Regional level, if resolvement is not satisfactory to the individual at that level an appeal may be field in writing with the Secretary of Transportation addressed as follows:

Department of Transportation,
Federal Railroad Administration,
Office of the Chief Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories:

Informational copies provided by the individual.
Informational copies provided by Office of Personnel.
Informational copies generated by on-going work programs.

DOT/FRA 114.

System name: Transportation Test Center Employee Service Record File. DOT/FRA.

System location: Department of Transportation (DOT),
Federal Railroad Administration (FRA),
Transportation Test center,
Pueblo, CO 81001.

Categories of individuals covered by the system: Federal employees of the Transportation Test Center.

Categories of records in the system: Personal data submitted by individuals.

Personnel actions.
Training data.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Record of personal data on SF 7.

Computer service computations dates.
Review performance ratings.
Follow-up dates for within-grade pay increases.
Training data used to determine training needs.
Awards information.
Used to prepare manpower and budget reports and requests.
Used in preparing requests for personnel actions.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Service records are maintained by a clerk during working hours. File cabinet is secured by lock during non-duty hours.

Retrievability: By name.

Safeguards: Physical Security is maintained by locked file cabinet.

Physical screening is insured by clerk who cannot release records without approval.

Retention and disposal: Each individual's service record is maintained until termination of employment. After termination record is maintained for one year and then destroyed.

System manager(s) and address:

Director, Transportation Test Center,
Department of Transportation,
Federal Railroad Administration,
Transportation Test Center,
Pueblo, CO 81001.

Notification procedure: The individual who feels that this system of records pertains to him may write or present himself to the Director, Transportation Test Center (System Manager) requesting confirmation.

Record access procedures: An individual may gain access to his records by request to the System Manager.

Contesting record procedures: Contest of these records, if appropriate, may be settled by informal communication. If this is unsatisfactory to the individual, the person may file an appeal in writing with the Secretary of Transportation addressed as follows:

Department of Transportation,
Federal Railroad Administration,
Office of the Chief Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Information supplied by employee.

Personnel actions, SF 50.
Evaluation and training forms.
Information supplied by supervisors.

DOT/FRA 115.

System name: Travel Advance Records. DOT/FRA.

System location: Department of Transportation (DOT),
Federal Railroad Administration (FRA),
Office of Administrative Operations, RAD-40,
400 7th Street, SW,
Washington, DC 20590.

Categories of individuals covered by the system: All FRA employees.

Private persons traveling on government request.

Categories of records in the system: Travel Advance Card.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Maintain accounting records.

Ensure collection of amounts due to the U.S.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in file drawer.

Retrievability: By name.

Safeguards: Records controlled by Accounting Division personnel.

Retention and disposal: Retained three years then forwarded to Federal Record Center with other accounting records.

System manager(s) and address: Accounting Officer,
Department of Transportation,
Federal Railroad Administration,
Accounting Division,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Individuals may contact the System Manager to confirm whether or not the system contains a record on them.

Record access procedures: An individual may gain access to his records by request to the System Manager.

Contesting record procedures: Content of these records may be settled with the System Manager. If this is unsatisfactory to the individual, the person may file an appeal in writing with the Secretary of Transportation addressed as follows:

Department of Transportation,
Federal Railroad Administration,
Office of the Chief Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Travel advance card signed by individual, forwarded to Accounting Division.

DOT/FRA 116.

System name: Work Measurement System. DOT/FRA.

System location: Department of Transportation (DOT),
Federal Railroad Administration (FRA),
Associate Administrator for Safety (RRS-1),
400 7th Street, SW, Room 5418,
Washington, DC 20590.

Categories of individuals covered by the system: All employees of the Federal Railroad Administration.

Categories of records in the system: Work Measurement Reports submitted by individuals.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Staffing and manpower justifications.
Budget presentations.
Review of performance efficiency and effectiveness to FRA objectives.
Reports to BLS, JFMIP, and other interested productivity oriented agencies.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape (mag-tape).

Retrievability: By payroll identification number.

Safeguards: Computer safeguards maintained by DOT Transportation programs are sensitive file retrieval computer systems.

Retention and disposal: Mag-tape is kept for 5 years, computer printouts retained 2 years. Disposal by usual disposal methods.

System manager(s) and address: Associate Administrator for Safety (RRS-1),
Department of Transportation,
Federal Railroad Administration,
400 7th Street, SW, Room 5418,
Washington, DC 20590.

Notification procedure: Inquiries may be addressed to the System Manager either in person or in writing.

Record access procedures: Access of records requires the individual to contact in person or write the System Manager.

Contesting record procedures: Contest of a record is also through the System Manager. If resolvement is not possible through the

System Manager, an appeal may be filed in writing with the Secretary of Transportation addressed as follows:

Department of Transportation,
Federal Railroad Administration,
Office of the Chief Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Input from FRA employees on FRA Form F 53, Work Measurement Report.

DOT/FRA 118.

System name: Transportation Test Center Cost Tracking System. DOT/FRA.

System location: Department of Transportation (DOT),

Federal Railroad Administration (FRA),
Transportation Test Center,
Pueblo, CO 81001.

Categories of individuals covered by the system: Operations and Maintenance (O&M) contractor employees.

Categories of records in the system: Employee weekly time cards.

Employee work order charges.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For the individual's use.

Administrative reference material.
Budgetary information material.
Technical information material.
DOT/FRA and other Government agencies that need Project/Work Order Cost Accounting Data.
Statistical purposes such as labor utilization assessment.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: O&M contractor employee labor distribution records are stored on magnetic tape files.

Retrievability: The system is indexed by name and employee clock number.

Safeguards: Primary system record input and output control is assigned to the Operations and Maintenance Contractor Accounting Office which functions as a single point interface with data processing operations.

Retention and disposal: Employee labor distribution records are retained in fiscal year transaction history files on magnetic tapes. Input document (employee time cards) and printed output are disposed of after three years from termination of the O&M contract.

System manager(s) and address: Director, Transportation Test Center,

Department of Transportation,
Federal Railroad Administration,
Pueblo, CO 81001.

Notification procedure: Any individual who wishes to inquire about whether this system of records applies to him may request confirmation from the System Manager.

Record access procedures: An individual may gain access to his records by request to the System Manager who will notify the appropriate O&M Project Manager.

Contesting record procedures: Contest of record content will be with the System Manager. If resolvement at this level is not satisfactory the individual may file an appeal in writing with the Secretary of Transportation addressed as follows:

Department of Transportation,
Federal Railroad Administration,
Office of the Chief Counsel,
400 7th Street, SW, Room 5101,
Washington, DC 20590.

Record source categories: Employee time cards.

DOT/NHTSA 400.

System name: National Highway Safety Advisory Committee Membership/Nominee Files. DOT/NHTSA.

System location: Department of Transportation (DOT),

National Highway Traffic Safety Administration (NHTSA),
400 7th Street, SW, Room 5215-D,
Washington, DC 20590.

Categories of individuals covered by the system: Members, past members, and nominees for membership on a committee dealing with highway safety.

Categories of records in the system: Biographical information (date and place of birth; education; current and past experience).

Appointment papers (oath; withholding form).
Photograph.
Travel vouchers.
Compensation payment forms.
Miscellaneous correspondence from and to members.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Files are maintained on members and nominees for use in specific situations, i.e., biographical information to be used for meetings, conferences, news articles when pertinent and when needed for recommendations for membership on committee.

Used only by support staff members.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: By individual name.

Safeguards: Locked files.

Retention and disposal: Records are stored indefinitely.

System manager(s) and address: Executive Secretary,

Department of Transportation,
National Highway Traffic Safety Administration,
400 7th Street, SW, Room 5215,
Washington, DC 20590.

Notification procedure: Department of Transportation,

National Highway Traffic Safety Administration,
Office of the Executive Secretary,
Privacy Act Coordinator,
400 7th Street, SW, Room 5217,
Washington, DC 20590.

Record access procedures: See 'Notification Procedure' above.

Contesting record procedures: See 'Notification Procedure' above.

Record source categories: All information has been obtained from the individual upon appointment to the advisory committee, or, in the case of nominees, on that individual's behalf by another person or organization.

DOT/NHTSA 401.

System name: Docket System. DOT/NHTSA.

System location: Department of Transportation (DOT),

National Highway Traffic Safety Administration (NHTSA),
Informatics Inc.,
6000 Executive Boulevard,
Rockville, MD 20852.

Categories of individuals covered by the system: Individuals who have commented on notices of NHTSA appearing in the Federal Register.

Authors of reports which are added to the docket as background information.

Categories of records in the system: Summary of the nature of the comment or the report, date written and filed, author affiliation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To gather information on responses to rules promulgated by NHTSA. Users are both NHTSA staff members and public.

Other uses include searching for background data on standards, determining areas for further research, and preparation for litigation.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape.

Retrievability: By individual name.

Safeguards: Records are maintained in a Technical Reference Library.

Retention and disposal: Indefinitely held.

System manager(s) and address: Chief, Technical Services Division, Department of Transportation,

National Highway Traffic Safety Administration,
Office of Management Systems, Room 4109,
400 7th Street, SW,
Washington, Dc 20590.

Notification procedure: Department of Transportation,

National Highway Traffic Safety Administration,
Office of Management Systems,
Technical Reference Branch,
400 7th Street, SW, Room 4109,
Washington, DC 20590.

Record access procedures: Same as 'Notification Procedure' above.

Contesting record procedures: Same as 'Notification Procedure' above.

Record source categories: From letters freely sent to NHTSA by the public; publications used by engineers in writing standards.

DOT/NHTSA 402.

System name: Highway Safety Literature Personal Author File. DOT/NHTSA.

System location: Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
Informatics Inc.,
6000 Executive Boulevard,
Rockville, MD 20852.

Categories of individuals covered by the system: Writers of technical articles and reports who have authored publications selected for inclusion in the abstract journal Highway Safety Literature.

Categories of records in the system: Bibliographic information giving title of article, book, or paper written; journal or other publication in which it appears; date of publication; abstract.

The file is similar in nature to the card catalog of a library.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Users are principally NHTSA staff members and their contractors who require literature searches prior to performing research.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape.

Retrievability: By individual name.

Safeguards: Records are stored in file cabinets.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Chief, Technical Services Division,
Department of Transportation,
National Highway Traffic Safety Administration,
400 7th Street, SW, Room 4109,
Washington, DC 20590.

Notification procedure: Department of Transportation,
National Highway Traffic Safety Administration,
Technical Reference Branch,
400 7th Street, SW, Room 4109,
Washington, DC 20590.

Record access procedures: Same as 'Notification Procedure' above.

Contesting record procedures: Same as 'Notification Procedure' above.

Record source categories: Publications related to highway safety.

DOT/NHTSA 403.

System name: Active Contract Run. DOT/NHTSA.

System location: Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
400 7th Street, SW, Room 5301,
Washington, DC 20590.

Categories of individuals covered by the system: NHTSA employees.

Categories of records in the system: List of names of contract specialists and contract technical managers managing active NHTSA contracts and agreements.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used in routine contract administration.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Punch cards.

Retrievability: By individual name.

Safeguards: Records are maintained in a secured offfice.

Retention and disposal: Retained for life of contract; destroyed when no longer needed.

System manager(s) and address: Director, Office of Contracts and Procurement,
Department of Transportation,
National Highway Traffic Safety Administration,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Department of Transportation,
National Highway Traffic Safety Administration,
Director, Office of Contracts and Procurement,
400 7th Street, SW,
Washington, DC 20590.

Record access procedures: Department of Transportation,
National Highway Traffic Safety Administration,
Director, Office of Contracts and Procurement,
400 7th Street, SW,
Washington, DC 20590.

Contesting record procedures: Department of Transportation,
National Highway Traffic Safety Administration,
Director, Office of Contracts and Procurement,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Employee job assignments.

DOT/NHTSA 404.

System name: Alcohol Projects. DOT/NHTSA.

System location: In connection with the Alcohol Safety Action Program of the:
Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHT);
Systems of records are maintained at various locations, as follows:
ASAP Staff Office and ASAP Probation,
22nd floor, City Hall,
Kansas City, MO 64106.
School for Alcohol Safety,
Greater Kansas City Area Safety Council,
714 East 12th Street,
Kansas City, MO 64106.
Community Alcohol Programs,
VFW Building,
406 East 34th Street,
Kansas City, MO 64111.
Kansas City, Missouri, Police Department,
Computer Division,
1125 Locust Street,
Kansas City, MO 65106. The following offices in Sioux City, Iowa at the address immediately following: ASAP Police, Court Service Office, Social Science Research Center, Woodbury County Sheriff's Office, Siouxland Council on Alcoholism, City Data Processing Center, County Attorney.
ASAP,
Benson Building,
Room 246,
Sioux City, IA 51101.
Siouxland Council on Alcoholism,
St. Vincent Hospital, Room 210,
Box 3168,
Sioux City, IA 51102.
Backup Disk File,
Vault in Lewis Hall,
Morningside College,
Sioux City, IO 51106. The following offices in Puerto Rico: Courts Administration, Adult Probation Dept., Dept. of Transportation and Public Works, Dept. of Alcohol and Drug Addiction, Institute of Legal Medicine, Dept. of Health, Police Dept.
The following offices in Nassau County, New York: Nassau County Police Dept., Nassau County Traffic Safety Board, Nassau County Central Traffic Court, N.Y. Dept. of Motor Vehicles.
Idaho Traffic Safety Commission,
Statehouse,
Boise, ID.
Department of Motor Vehicles,
Columbus, GA.
Department of Motor Vehicles,
Richland County, SC.
Department of Motor Vehicles,
Tampa, FL.
University of North Carolina,

Highway Safety Research Center (HSRC),
Chapel Hill, NC 27514.
Alcohol Safety Action Project,
17 South Second Avenue, Room 402,
Phoenix, AZ 85003.
Management Information System,
City of Phoenix,
251 West Washington Street,
Phoenix, AZ 85003.
Human Factors Laboratory,
Department of Psychology,
Old Union Building,
University of South Dakota,
Vermillion, SD 57069.
City Court Rehabilitation-Probation Center,
17 South Second Avenue,
Phoenix, AZ 85003.
Department of Highways,
Division of Highway Safety,
Office of Alcohol-Driving Countermeasures,
4201 E. Arkansas Avenue,
Denver, CO 80222.
Southwest Research Institute,
Dept. 22,
8500 Culebra Road,
P.O. Drawer 28510,
San Antonio, Texas 78284.
Alcohol Safety Action Project,
140 Main Plaza,
San Antonia, TX 78205.
McDonnell Douglas Automation Company,
Huntington Beach, CA.
San Antonio Alcohol Safety Action Project,
Problem Drinker Evaluation Center,
200 Main Plaza, Suit 104,
San Antonio, TX 78105.
Corporate Computer Center,
4100 Chain Bridge Road,
Fairfax, VA 22030
Mississippi State University,
Social Science Research Center,
Mississippi State, MS 39762.
Program on Alcohol and Drug Abuse,
66 South Street,
Concord, NH 03301.
New Hampshire Alcohol Safety Action Project,
105 Loudon Road,
Concord, NH 03301.
Dunlap and Associates, Inc.,
One Parkland Drive,
Darien, CT 06820.
Hennepin County ASAP,
625 Second Avenue South, Room 404,
Minneapolis, MN 55402.
STR Project,
11a Government Center,
Minneapolis, MN 55402.
Data Processing,
City Hall,
Stockton, CA 95202.
Bureau of Motor Vehicle Services,
District of Columbia,
Department of Transportation,
301 C Street, NW,
Washington, DC 20001.
ASAP Offices,
142 High Street,
Portland, ME 04101.
ASAP,
211 Congress Street,
Ninth Floor,
Boston, MA 02110.
Project CRASH,
Division of Alcohol Services,
Department of Mental Health,
Waterbury, VI 05676.
Los Angeles County Alchohol Safety Action Project,
311 South Spring Street, Suite 700,
Los Angeles, CA 90013.
New Orleans ASAP,
545 St. Charles Avenue,#302,
New Orleans, LA 70130.
Oklahoma City ASAP,
Hightower Building, Suite 529,
105 North Hudson,
Oklahoma City, OK 73102.
Puerto Rico ASAP,
Traffic Safety Commission,
P.O. Box F.I.,
Santurce, PR 00910.

Categories of individuals covered by the system: Vehicle operators having committed alcohol-related driving violations.

Categories of records in the system: DMV records, police arrest and citation records, court and probation records, various official and social services rehabilitation records, and voluntary personal interviews.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records are used to evaluate the status of activities within a project, including the status of different groups for purposes of subsequent comparison and analysis, such as recidivism rates. Reports and management information are compiled, using statistical and comparative analysis of the records, which may be released to relevant authorities mon- itoring the progress of the project.

Data contained in these systems of records may be routinely distributed to the lower courts,police departments, public health services, probation authorities, or juvenile and rehabilitation services within the system if that agency's purpose for maintaining the records is compatible with the Project usage.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Punch-card, disk, paper files, magnetic tape.

Retrievability: Individual name, ID number, social security number.

Safeguards: Locked file cabinet, code and restricted access.

Retention and disposal: Two years after project termination.

System manager(s) and address: Chief, Demonstration Management Division,

Department of Transportation,
National Highway Traffic Safety Administration,
Office of Driver and Pedestrian Programs,
400 7th Street, SW, Room 5130,
Washington, DC 20590.

Notification procedure: Same as Location.

Record access procedures: Letter of request to the System Manager (see address above) with notarized statement as to personal identification.

Contesting record procedures: See address of 'System Manager' above.

Record source categories: Local law enforcement, court, health, and motor vehicle division records.

DOT/NHTSA 406.

System name: Diagnostic Inspection Demonstration Project. DOT/NHTSA.

System location: Department of Transportation (DOT),

National Highway Traffic Safety Administration (NHTSA),
Computer Sciences Corporation,
6231 Leesburg Pike,
Falls Church, VA 22046.
State Demonstration Project Office,
Huntsville, AL.
Demonstration Project Office,
Washington, DC.
State Demonstration Project Office,
Chattanooga, TN.
Demonstration Project Office,
San Juan, PR.
State Demonstration Project Office,
Phoenix, AZ.
Department of Transportation,
Commonwealth of Puerto Rico,
San Juan, PR.

Categories of individuals covered by the system: Auto vehicle owners.

Categories of records in the system: For each automobile inspected in the program, the diagnostic inspection records contain pass/fail/

advise information on each safety or emissions related item inspected at each state inspection facility. These inspection items include:

Federal vehicle-in-use inpsection standards and EPA emission standards.
Individual state statutory inspection requirements.
Other inspection items as added by each participating state.
In addition to these P/F/A results, quantitative data are included on emissions, front-end alignment and engine analysis. The original hard copy also contains the name and address of participating motorists.
System repair cost records contain the parts and labor costs associated with the inspection results. Most of the original repair cost data-forms contain the name and address of the repair facility as well as the name and address of the participating motorist.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is routinely used monthly by CSC to perform in-progress evaluations for NHTSA project personnel on the evaluation areas specified in Title III of the Motor Vehicle Information and Cost Savings Act (PL 92-513).

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, punched card, and hard copy original data forms.

Retrievability: Computer stored data are indexed by vehicle identification number (VIN), vehicle year, vehicle make/model code, and inspection site code; the hard copy original data forms are indexed by VIN and cross-indexed by vehicle owner name and address.

Safeguards: For computer stored information standard security established by GSA users of INFONET is used, computer system access is limited to authorized users; the hard copy original data forms are stored in locked file cabinets after handling and keypunching by authorized project personnel.

Retention and disposal: All records will be retained by the contractor for the duration of the contract; at the conclusion of the contract the contractor will furnish to NHTSA all data forms, data tape records, and punched cards developed and received as a result of the contract.

System manager(s) and address: Chief, Engineering and Demonstration Division,

Department of Transportation,
National Highway Traffic Safety Administration,
Office of State Vehicle Program,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Apply to applicable address in 'System Location' above.

Record access procedures: Same as 'System Manager' above.

Contesting record procedures: Same as 'System Manager' above.

Record source categories: State and local vehicle records; gathered from voluntary interviews.

DOT/NHTSA 408.

System name: Experts and Consultants List. DOT/NHTSA.

System location: Department of Transportation (DOT),

National Highway Traffic Safety Administration (NHTSA),
Office of Contracts and Procurement,
400 7th Street, SW, Room 5301,
Washington, DC 20590.

Categories of individuals covered by the system: Individuals desiring to serve as experts and consultants.

Categories of records in the system: Professional abilities of individuals.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to provide identification of individuals available to serve as experts and consultants.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Material is stored on bonded paper.

Retrievability: By individual name.

Safeguards: Records are stored in a secured office area.

Retention and disposal: Indefinite and discarded when no longer needed.

System manager(s) and address: Director, Office of Contracts and Procurement,

Department of Transportation,
National Highway Traffic Safety Administration,
Office of Contracts and Procurement,
400 7th Street, SW, Room 5301,
Washington, DC 20590.

Notification procedure: Director, Office of Contracts and Procurement,

Department of Transportation,
National Highway Traffic Safety Administration,
Office of Contracts and Procurement,
400 7th Street, SW, Room 5301,
Washington, DC 20590.

Record access procedures: Director, Office of Contracts and Procurement,

Department of Transportation,
National Highway Traffic Safety Administration,
Office of Contracts and Procurement,
400 7th Street, SW, Room 5301,
Washington, DC 20590.

Contesting record procedures: Director, Office of Contracts and Procurement,

Department of Transportation,
National Highway Traffic Safety Administration,
Office of Contracts and Procurement,
400 7th Street, SW, Room 5301,
Washington, DC 20590.

Record source categories: Information submitted by individuals.

DOT/NHTSA 409.

System name: Federal Motor Vehicle Safety Standards (FMVSS) Compliance. DOT/NHTSA.

System location: Department of Transportation (DOT),

National Highway Traffic Safety Administration (NHTSA),
Validation Division,
2100 2nd Street, SW, Room 3222,
Washington, DC 20590.
Region IX, NHTSA,
450 Golden Gate Avenue
Box 36112,
San Francisco, CA 94102.
Region II, NHTSA,
200 Mannaroneck Avenue,
White Plains, NY 10601.
Region X, NHTSA,
3140 Federal Building,
915 Second Avenue,
Seattle, WA 98174.
Region IV, NHTSA,
Suite 400,
1720 Peachtree Road, NW
Atlanta, GA 30309.

Categories of individuals covered by the system: Individuals suspected of violation of FMVSS.

Categories of records in the system: Data gathered regarding alleged non-compliance of FMVSS.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is used to assist investigations of alleged violators, and in the effort to secure proper compliance.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper file, microfilm, disc.

Retrievability: Fiscal year, date, name, number.

Safeguards: Stored in locked file cabinets in a security room.

Retention and disposal: Indefinite or until obsolete.

System manager(s) and address: Director, Office of Vehicle Safety Compliance,

Department of Transportation,
National Highway Traffic Safety Administration,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Write or visit applicable office at address in 'System Location' above.

Record access procedures: Same as 'System Manager' above.

Contesting record procedures: Same as 'System Manager' above.

Record source categories: Manufacturers, importation officials, dealers, purchasers, inspector, informants.

DOT/NHTSA 410.

System name: General Public Inquiries. DOT/NHTSA.

System location: Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
Office of the Executive Secretary,
400 7th Street, SW, Room 5217,
Washington, DC 20590.

Categories of individuals covered by the system: Inquiries from the general public.

Categories of records in the system: Control cards identifying incoming correspondence from individuals who are requesting information, jobs, device - testing, etc.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Reference purposes.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Filed in trays in file cabinet.

Retrievability: By individual name or control number.

Safeguards: Conserva-Files; locked when not in use.

Retention and disposal: Records are retained for one year and are then disposed of.

System manager(s) and address: Executive Secretary,
Department of Transportation,
National Highway Traffic Safety Administration,
Office of the Executive Secretary,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Department of Transportation,
National Highway Traffic Safety Administration,
Office of the Executive Secretary,
Privacy Act Coordinator,
400 7th Street, SW,
Washington, DC 20590.

Record access procedures: Same as 'Notification Procedure'.

Contesting record procedures: Same as 'Notification Procedure'.

Record source categories: Individuals and organizations.

DOT/NHTSA 411.

System name: General Public Correspondence System. DOT/NHTSA.

System location: Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
Office of the Executive Secretary,
400 7th Street, SW, Room 5217,
Washington, DC 20590.

Categories of individuals covered by the system: Individuals who have requested information or advice.

Categories of records in the system: Files containing correspondence with individuals who have requested information or advice on promoting devices.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Reference purposes.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders.

Retrievability: By individual name.

Safeguards: Conserva-Files; locked when not in use.

Retention and disposal: Records are retained for one year and are then disposed of.

System manager(s) and address: Executive Secretary,
Department of Transportation,
National Highway Traffic Safety Administration,
Office of the Executive Secretary,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Department of Transportation,
National Highway Traffic Safety Administration,
Office of the Executive Secretary,
Privacy Act Coordinator,
400 7th Street, SW,
Washington, DC 20590.

Record access procedures: See 'Notificaton Procedure' above.

Contesting record procedures: See 'Notification Procedure' above.

Record source categories: Individuals.

DOT/NHTSA 412.

System name: Manpower Training File. DOT/NHTSA.

System location: Office of Governor's Highway Safety Representative in each State.

Categories of individuals covered by the system: Persons receiving highway safety training under 23 USC 402.

Categories of records in the system: Type and length of training and completion dates.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Aggregation for report to Congress on total individuals trained.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: By individual name.

Safeguards: Records are stored in file cabinets.

Retention and disposal: Records are retained for 3 years; then sent to State Archives.

System manager(s) and address: Chief, Manpower Development Division, N42-22,
Department of Transportation,
National Highway Traffic Safety Administration,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Write or visit the System Manager in the applicable State Traffic Safety Commission Office.

Record access procedures: Same as 'Notification Procedure' above.

Contesting record procedures: Same as 'Notification Procedure' above.

Record source categories: Applications filed by individual or employer.

DOT/NHTSA 413.

System name: Odometer Rollback. DOT/NHTSA.

System location: Department of Transportation (DOT):
National Highway Traffic Safety Administration (NHTSA):
Office of Fuel Economy Compliance,
Associate Administrator for Enforcement,
400 7th Street, SW, Room 4109,
Washington, DC 20590.
Automated Sciences Group, Inc.,
Summit Office Building, Suite 713,
8555 16th Street, Silver Spring, MD 20910.

Categories of individuals covered by the system: Private individuals who may be involved in odometer rollbacks.

Categories of records in the system: Alleged circumstances surrounding odometer rollbacks on used cars sold or offered for sale. Information is used to assist in investigations of alleged violators.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Data is made available to legal authorities for appropriate action.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: By individual name.

Safeguards: Locked file.

Retention and disposal: Retained indefinitely.

System manager(s) and address: Chief Counsel,
Department of Transportation,
National Highway Traffic Sagety Administration,
400 7th Street, SW, Room 5219,
Washington, DC 20590.

Notification procedure: Department of Transportation,
National Highway Traffic Safety Administration,
Director, Office of Fuel Economy Compliance,
400 7th Street, SW, Room 4109,
Washington, DC 20590.

Record access procedures: Same as 'System Manager' above.

Contesting record procedures: Same as 'System Manager' above.

Record source categories: Individual complaint by used car purchaser, automobile dealers, state agencies.

DOT/NHTSA 415.

System name: Motor Vehicle Defects. DOT/NHTSA.

System location: Department of Transportation (DOT),
National Traffic Safety Highway Administration (NHTSA),
Office of Defects Investigation,
400 7th Street, SW, Room 5328
Washington, DC 20590.
Sterling Systems, Inc.,
4340 Connecticut Avenue,
Washington, DC 20008.
Informatics, Inc.,
7926 Jones Branch Drive, Suite 272,
McLean, VA 22101.

Categories of individuals covered by the system: Vehicle owners.

Categories of records in the system: Vehicle identification, vehicle problem, vehicle owner.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Check complaints about vehicle defects to spot trends, resulting in investigations of the vehicle model.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Disc pack and paper file.

Retrievability: Identification number for each vehicle owner.

Safeguards: Coded entry numbers.

Retention and disposal: Three years or indefinite.

System manager(s) and address: Chief, Information System Staff
Department of Transportation,
National Highway Traffic Safety Administration,
Office of Defects Investigation,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Write or visit the applicable address in 'System Location' above.

Record access procedures: Same as 'System Manager' above.

Contesting record procedures: Same as 'System Manager' above.

Record source categories: General public, State highway offices, insurance companies, vehicle manufacturers.

DOT/NHTSA 416.

System name: Offerors Data Bank. DOT/NHTSA.

System location: Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
Office of Contracts and Procurement,
400 7th Street, SW, Room 5301,
Washington, DC 20590.

Categories of individuals covered by the system: Individual on the offerors mailing list.

Categories of records in the system: History of response or nonresponse to Requests for Proposal provided to the individuals.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to provide history of responses to Requests for Proposal.

Used as a purging system for the offerors mailing list.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Forms, magnetic tape.

Retrievability: Name, codes of contractual fields of interest.

Safeguards: Records are stored in a locked file cabinet.

Retention and disposal: Indefinitely; destroyed when no longer needed.

System manager(s) and address: Director, Office of Contracts and Procurement,
Department of Transportation,
National Highway Traffic Safety Administration,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Department of Transportation,
National Highway Traffic Safety Administration,
Director, Office of Contracts and Procurement,
400 7th Street, SW,
Washington, DC. 20590.

Record access procedures: Department of Transportation,
National Highway Traffic Safety Administration,
Director, Office of Contracts and Procurement,
400 7th Street, SW,
Washington, DC 20590.

Contesting record procedures: Department of Transportation,
National Highway Traffic Safety Administration,
Director, Office of Contracts and Procurement,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Information from individual letters or proposal submissions to Requests for Proposal.

DOT/NHTSA 417.

System name: National Driver Register (NDR). DOT/NHTSA.

System location: Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
Office of Driver and Pedestrian Programs,
National Driver Register Office,
400 7th Street, SW, Room 6134,
Washington, DC 20590.
Master file is located at:
Transportation Computer Center,
400 7th Street, SW, Room 2401,
Washington, DC 20590.

Categories of individuals covered by the system: Persons who have had their driver's license denied, withdrawn, revoked or suspended as reported by State/Territorial driver licensing authorities.

Categories of records in the system: NDR records include: the reporting jurisdiction, the subject's full name, other names used, date of birth, driver license number and/or social security number (if used by the reporting jurisdiction), sex, height, weight, eye color, the reason for withdrawal, the date of the withdrawal, and the date eligible for restoration of driving privilege or the date license was actually restored.

It should be noted that very frequently the physical data is not provided by the reporting agency.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Provide identification of drivers who have had their licenses withdrawn, suspended, revoked or otherwise denied in response to inquiries from State or Federal driver licensing agencies relative to driver license applicants.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The NDR master file is maintained on magnetic tape.

Source data; i.e., manual input (forms, letters) are retained in that form.
Source data received on magnetic tape are converted into printed listings.
All source data is batch filed.

Retrievability: The magnetic tape master file is indexed by surname and refined by program application of screening criteria involving given names, date of birth and physical characteristics.

Source data batch files are indexed by the processing date as determined from test inquiry of the master file. A manual search of the appropriate batch is then required to access the specific record.

Safeguards: The master file is kept in the Transportation Computer Center, a limited access area.

The source data files are maintained in a building under surveillance of a 24 hour guard force.
In addition, the spaces in which the files are maintained are equipped with lockable doors which are locked when vacated.
All personnel have met the investigative requirements for secret classified matter.
In addition, all NDR employees are orally briefed on NDR security requirements and their responsibilities.

Retention and disposal: Records of actions that have been cancelled or rescinded are purged from the file upon receipt of notification from the reporting jurisdiction. Other records are retained for seven or five years depending on the reason for withdrawal of the individual's license.

Withdrawals for drunk driving, hit and run, fatal accident, felony and misrepresentation are retained for seven years.
Records of 'habitual offenders' as stipulated by certain states are retained indefinitely, unless otherwise requested by the reporting state.
All other master file records are retained for five years.
Source data files are retained for one year.
Magnetic tape records are erased by degaussing, using 86db degaussing equipment, prior to disposing of the tapes.
Paper source data reports of withdrawal are destroyed by shredding.

System manager(s) and address: Chief, National Driver Register, National Highway Traffic Safety Administration, NTS-15 Department of Transportation, Room 6134, Washington, DC 20590.

Notification procedure: Mailed inquiries should be addressed as above under 'System Manager.'

For inquiries made in person, the inquirer should present himself at the National Driver Register office at the following location:
400 7th Street, SW, Room 6134,
Washington, DC 20590.
In order to conduct a file search the requesting party must provide:
Full legal name,
Other names used (nickname, professional name, maiden name),
Date of birth,
Sex,
Height,
Weight,
Color of eyes,
Social security number and/or driver license number (provision of the social security number is voluntary).
In addition, although not mandatory, it would help to more positively identify any records we may have concerning the inquirer if the following information is included:
The reason his/her driver license was withdrawn or denied.
The date of the action.
The State which took the action.
An inquirer presenting himself/herself in person should have at least two means of identification sufficient to reasonably insure that he/she is who he/she purports to be.
For mailed inquiries the foregoing identification elements should be included in the form of a notarized affidavit and addressed to the System Manager.

Record access procedures: An individual desiring to obtain information on procedures to obtain his or her record (s) should contact the Chief, National Driver Register, at the address under 'System Manager' above.

Contesting record procedures: To obtain information on procedures to contest records one should contact the Chief, National Driver Register, at the address in 'System Manager' above.

With regard to contesting records it must be realized that the file is made up of State records. As such, these can only be changed or corrected by the reporting State. The records in the Driver Register file are changed only when advised by the originating jurisdiction.

Record source categories: The records comprising the National Driver Register file are provided by States. District of Columbia, Puerto Rico, Canal Zone, Virgin Islands and Guam driver licensing administrators or the agency within the jurisdictions responsible for such records.

DOT/NHTSA 421.

System name: Survey of Recreational Vehicle Suspensions. DOT/NHTSA.

System location: Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
Office of Defects Investigation,
400 7th Street, SW, Room 5330,
Washington, DC 20590.
Records are also stored at:
Pioneer Engineering & Manufacturing Company,
2500 E. Nine Mile Road,
Warren, MI.

Categories of individuals covered by the system: 6,400 owners of recreational vehicles surveyed for on-the-road load characteristics of the vehicles.

Categories of records in the system: Vehicle loads, vehicle identification, vehicle component identification and owner or driver identification.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Survey analysis and evaluation.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Punch cards.

Retrievability: The information is stored on punch cards and retrievable by survey identification number or type, year and make of vehicle but not by owner's name.

Safeguards: The record cards are stored in locked file cabinets.

Retention and disposal: Upon completion, all related investigations' data will be destroyed via normal Coast Guard record destruction methods.

System manager(s) and address: Contract Technical Manager,
Department of Transportation,
National Highway Traffic Safety Adminstration,
Office of Defects Investigation,
400 7th Street, SW, Room 5330,
Washington, DC 20590.

Notification procedure: Department of Transportation,
National Highway Traffic Safety Administration,
Chief, Technical Reference Service,
400 7th Street, SW, Room 5108,
Washington, DC 20590.

Record access procedures: Same as 'System Manager' above.

Contesting record procedures: Same as 'System Manager' above.

Record source categories: The entire record was obtained from owners of recreational vehicles as they were found on the highways and from the manufacturers of vehicles. The information from the two sources were then combined for analysis and evaluation of recreational vehicle loading characteristics of the vehicle condition as found on the highways.

DOT/NHTSA 422.

System name: Temporary Exemption Petitions. DOT/NHTSA.

System location: Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
Office of Chief Counsel,
400 7th Street, SW, Room 5219,
Washington, DC 20590.

Categories of individuals covered by the system: Petitioners (commercial entities) seeking exemption from Federal motor vehicle safety standards.

Categories of records in the system: Income statement and balance sheets, production information.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For consultation by attorneys while file is active; copies in public docket.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Office files.

Retrievability: Temporary exemptions; filed by individuals' names.

Safeguards: Available only to the System Manager and his secretary.

Retention and disposal: Thus far all records have been retained.

System manager(s) and address: Senior Staff Attorney,
Department of Transportation,
National Highway Traffic Safety Administration,
Office of Chief Counsel,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Department of Transportation,
National Highway Traffic Safety Administration,
Office of Chief Counsel,
400 7th Street, SW, Room 5219,
Washington, DC 20590.

Record access procedures: Department of Transportation,
National Highway Traffic Safety Administration,
Office of Chief Counsel,
400 7th Street, SW,

Washington, DC 20590.

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: Submitted by petitioners.

DOT/NHTSA 423.

System name: Vendor Edit Table Listing (Employees). DOT/NHTSA.

System location: Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
Office of Financial Management,
400 7th Street, SW, Room 5115,
Washington, DC 20590.

Categories of individuals covered by the system: NHTSA employees.

Categories of records in the system: Employee name.
Employee number.
Residence - City, County, State, Zip Code.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Employee travel orders are controlled by employee number to maintain a record of authorized travel and the related expenses for each trip. This file is assessed to match the employee number coded from the travel order and the voucher and for retrieval of this data for the travel report by organization and by individual.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic Disc.

Retrievability: Table is indexed by employee number (vendor number).

Safeguards: System operators are identified as individuals given authority for processing data in terminal room.
No others are allowed access to data.
Job controls (JCL's) for retrieval of data are kept in locked cabinet under custody of System Manager.

Retention and disposal: Table maintenance is the responsibility of the System Manager who adds new employee data as it is received from Personnel Director. Deletions are also controlled by the System Manager, as employees retire or otherwise leave the agency.

System manager(s) and address: Chief, Policies and Procedures Division,
Department of Transportation,
National Highway Traffic Safety Administration,
Office of Financial Management,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Address inquiries to the Privacy Act Coordinator at the address under 'System Manager'. Requests for data may be made by any employee of NHTSA. Requests must be in writing and identify:
System Name: DOT/NHTSA FMS-940.
Employee number.
Employee name.

Record access procedures: All inquiries as to procedures for gaining access to records shall be directed to:
Department of Transportation,
National Highway Traffic Safety Administration,
Office of Financial Management,
400 7th Street, SW, Room 5115,
Washington, DC 20590.

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: Source of data is from the Office of Personnel Management, NHTSA.

DOT/NHTSA 424.

System name: Offerors Mailing List. DOT/NHTSA.

System location: Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
Office of Contracts and Procurement,
400 7th Street, SW, Room 5301,
Washington, DC 20590.

Categories of individuals covered by the system: Offerors that may bid on Requests for Proposal as individuals.

Categories of records in the system: Offerors name, address, and NHTSA areas of interest that the offeror wishes to bid on.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to identify suppliers to fulfill NHTSA requirements.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Forms; magnetic tape.

Retrievability: Name, codes of contractual field of interest.

Safeguards: The records are maintained in a secure area.

Retention and disposal: Indefinitely and destroyed when no longer needed.

System manager(s) and address: Director, Office of Contracts and Procurement,
Department of Transportation,
National Highway Traffic Safety Administration,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Write or visit the System Manager at the address in 'System Manager' above.

Record access procedures: Same as 'Notification Procedure' above.

Contesting record procedures: Same as 'Notification Procedure' above.

Record source categories: From the individual himself.

DOT/NHTSA 427.

System name: Statement of Employment and Financial Interest. DOT/NHTSA.

System location: Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
Office of Personnel Management,
400 7th Street, SW, Room 5306,
Washington, DC 20590.

Categories of individuals covered by the system: Individuals encumbering positions listed in Appendix C of Part 99 Title 49 CFR.
Special government employees.

Categories of records in the system: Records contain Statements of Financial Interest including but not limited to stocks, bonds and real estate that are held by individuals whose records are in the system.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Financial statements are reviewed by the Director, Office of Personnel Management or his delegate to ascertain conflicts or apparent conflicts of interest between the holdings of individuals and the discharge of the individual's official duties.
Assistance of the NHTSA Chief Counsel or his delegate may be secured in the determination process.
Where potential conflict may arise the individual is contacted by the Chief Counsel or his delegate to attempt to resolve the issue.
Should further action be necessary the Administrator NHTSA may attempt to resolve the issue.
If necessary, remedial action may be instituted to resolve the conflict.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored on forms DOT F 3700.1 and DOT F 3700.2.

Retrievability: Records are retrieved by individual's name.

Safeguards: Records are stored in safes or locked files. Access is only by authorized individuals on a 'need to know' basis.
Personnel screening is employed to prevent unauthorized access.

Retention and disposal: Five years following termination of employment and then destroyed.

System manager(s) and address: Director, Office of Personnel Management,
Department of Transportation,
National Highway Traffic Safety Administration,
400 7th Street, SW, Room 5306,
Washington, DC 20590.

Notification procedure: Department of Transportation,
National Highway Traffic Safety Adminstration,
Director, Office of Personnel Management,
400 7th Street, SW, Room 5306,
Washington, DC 20590.

Record access procedures: Department of Transportation,

National Highway Traffic Safety Administration,
Current employees may contact the:
Director, Office of Personnel Management,
400 7th Street, SW, Room 5306,
Washington, DC 20590.
Former employees who wish to gain access to their records should direct such a request in writing including their names, date of birth and social security number to:
Department of Transportation,
National Highway Traffic Safety Administration,
Director, Office of Personnel Management,
400 7th Street, SW, Room 5306,
Washington, DC 20590.

Contesting record procedures: Same as 'Record Access Procedure.'

Record source categories: Information in this system of records comes from the individual to whom it applies or is derived from information he supplied.

DOT/NHTSA 431.

System name: Civil Penalty Enforcement Files. DOT/NHTSA.

System location: Department of Transportation (DOT),
National Highway Traffic Safety Administration,
Office of the Chief Counsel,
400 7th Street, SW, Room 5219,
Washington, DC 20590.

Categories of individuals covered by the system: Persons (corporate or individual) against whom civil penalties are sought or contemplated for violations of NHTSA - administered statutes.

Categories of records in the system: Investigatory records of alleged violations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For consultation by attorneys regarding a civil suit against an individual.

See Prefatory Statement of General Routine uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Office files.

Retrievability: Files in CIR numericai order.

Safeguards: Available only to the System Manager and his secretary.

Retention and disposal: Records are retained indefinitely and destroyed when no longer needed.

System manager(s) and address: Senior Staff Attorney,
Department of Transportation,
National Highway Traffic Safety Administration,
Office of Chief Counsel,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Department of Transportation,
National Highway Traffic Safety Administration,
Office of Chief Counsel,
400 7th Street, SW, Room 5219, Washington, DC 20590.

Record access procedures: Department of Transportation,
National Highway Traffic Safety Administration,
Office of the Chief Counsel,
Chief Counsel,
400 7th Street, SW, Washington, DC 20590.

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: NHSTA investigations and tests.

DOT/NHTSA 432.

System name: EEO Counseling Program and Discrimination Complaint File. DOT/NHTSA.

System location: Department of Transportation (DOT),
National Highway Traffic Safety Adminsitration (NHTSA),
Office of Civil Rights,
400 7th Street, SW, Room 5312,
Washington, DC 20590.

Categories of individuals covered by the system: NHTSA personnel or those seeking employment with NHTSA (clerical and professional).

Categories of records in the system: Detailed description of alleged discrimination.

Background and support material.
Transcripts of hearings.
Personnel evaluation forms.
Record of interviews.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used for reference to aid EEO investigations.

See Prefatory Sstatement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept on the orgiginal forms.

Retrievability: Subject, individual's name.

Safeguards: Personnel screening; kept in locked files.

Retention and disposal: Retained indefinitely.

System manager(s) and address: Director, Office of Civil Rights,
Department of Transportation,
National Highway Traffic Safety Administration,
Office of Civil Rights,
400 7th Street, SW, Room 5312,
Washington, DC 20590.

Notification procedure: Department of Transportation,
National Highway Traffic Safety Administration,
Office of Civil Rights,
400 7th Street, SW, Room 5312, Washington, DC 20590.

Record access procedures: Department of Transportation,
National Highway Traffic Safety Administration,
Office of Public Affairs and Consumer Services,
400 7th Street, SW, Room 5232,
Washington, DC 20590.

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: From interviews with the complainants, others involved in the alleged discrimination action.

DOT/NHTSA 433.

System name: Injuries, Illnesses, Motor Vehicle Accidents and Property Damages. DOT/NHTSA.

System location: Department of Trasnsportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
Office of Management Systems,
General Services Division,
400 7th Street, SW, Room 4429,
Washington, DC 20590.

Categories of individuals covered by the system: Individuals involved in injuries on the job.

Individual Motor Vehicle accident reports.
Individual Property Damage reports.

Categories of records in the system: Accident Report - DOT F 3902.1.

Injury Report, Supplement - I - DOT F 3902.2.
Motor Vehicle Report, Supplement - M - DOT F 3902.3.
Property Damage Report, Supplement - P - DOT F 3902.4.
Log of Federal Occupational Injuries and Illnesses - DOT F 3902.8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Legal.

Security.
Budget.
Audit.
Personnel Management.
Investigation.
Recordkeeping.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folder.

Retrievability: Alphabetical, by individual's name.

Safeguards: File cabinet with lock.

Retention and disposal: Maintained for 5 years, then transferred to Archives.

System manager(s) and address: Chief, General Services Division,
Department of Transportation,
National Highway Traffic Safety Administration,
Office of Management Systems,
400 7th Street, SW, Room 4429,
Washington, DC 20590.

Notification procedure: Department of Transportation,
National Highway Traffic Safety Administration,
Office of Management Systems,
400 7th Street, SW,

Washington, DC 20590.

Record access procedures: Department of Transportation,
National Highway Traffic Safety Administration,
Chief Counsel,
400 7th Street, SW,
Washington, DC 20590.

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: Individual to whom record pertains.
Investigations.
Reports of witnesses,

DOT/NHTSA 434.

System name: Government Driver Licenses. DOT/NHTSA.

System location: Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
Office of Management Systems,
General Services Division,
400 7th Street, SW, Room 4429,
Washington, DC 20590.

Categories of individuals covered by the system: Government drivers.

Categories of records in the system: Application for Operator's Identification Card.
Physical Fitness Inquiry for Motor Vehicle Operators.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used to verify that an applicant is qualified both legally and physically to operate a government vehicle.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored on the original forms.

Retrievability: Alphabetical, by individual's name.

Safeguards: File cabinet with lock.

Retention and disposal: Records are maintained for 5 years, then Transferred to Archives.

System manager(s) and address: Chief, General Services Division,
Department of Transportation,
National Highway Traffic Safety Administration,
Office of Management Systems, Room 4429,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Department of Transportation,
National Highway Traffic Safety Administration,
Office of Management Systems,
400 7th Street, SW,
Washington, DC 20590.

Record access procedures: Department of Transportation,
National Highway Traffic Safety Administration,
Office of the Chief Counsel,
400 7th Street, SW,
Washington, DC 20590.

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: Individual to whom record pertains.
National Driver Register.

DOT/NHTSA 435.

System name: Investigations and Security. DOT/NHTSA.

System location: Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
Office of Management Systems,
General Services Division,
400 7th Street, SW, Room 4429,
Washington, DC 20590.

Categories of individuals covered by the system: Employees who allegedly violate NHTSA security regulations.

Categories of records in the system: A memoranda specifying security violations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For security purposes.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored on original form HS 154.

Retrievability: Individual's name and Organization.

Safeguards: Locked file cabinet.

Retention and disposal: Retained until completion of appropriate corrective action and/or disciplinary action.

System manager(s) and address: Security Coordinator, NHTSA,
Department of Transportation,
National Highway Traffic Safety Administration,
General Services Division, Room 4429,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Department of Transportation,
National Highway Traffic Safety Administration,
Office of Management Systems, 400 7th Street, SW, Washington, DC 20590.

Record access procedures: Department of Transportation,
National Highway Traffic Safety Administration,
Office of the Chief Counsel, 400 7th Street, SW, Washington, DC 20590.

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: Security Coordinator.

DOT/NHTSA 436.

System name: Contract Grievance Records. DOT/NHTSA.

System location: Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
Office of Personnel Management,
400 7th Street, SW, Room 5306,
Washington, DC 20590.

Categories of individuals covered by the system: Employees in the non-professional exclusive unit covered by the NHTSA/AFGE contract of March 5, 1974.

Categories of records in the system: Records contain information or documents relating to a decision by the Administration or an arbitrator affecting an individual.
The records consist of:
The initial grievance.
Letters or notices to the individual.
Record of arbitration hearing when conducted.
Materials placed into the record to support the decision or determination affidavits or statements.
Testimonies of witnesses.
Investigative reports.
Instructions to the Administration about action to be taken to comply with decisions.
Related correspondence opinions and recommendations. opinions and recommendations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To respond to a Member of Congress regarding status of a grievance.
To provide information to the public as requested by the Freedom of Information Act.
To respond to the Assistant Secretary of Labor for LMR in connection with an Unfair Labor Practice Procedure or to respond to the Federal Labor Relations Council on appeal of an arbitration award.
To respond to a court subpoena in connection with a civil suit.
To adjudicate a grievance.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in file folders and index cards.

Retrievability: Retrieved by names of grievant (s).

Safeguards: Access limited to those with official 'need to know.' Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: The records are maintained up to 3 years and then retired to the Washington National Records Center.

System manager(s) and address: Director, Office of Personnel Management,
Department of Transportation,
National Highway Traffic Safety Administration,
400 7th Street, SW, Room 5306,
Washington, DC 20590.

Notification procedure: Individuals who have filed grievances under the NHTSA/AFGE contract should address inquiries to the:
Department of Transportation,
National Highway Traffic Safety Administration,
Director, Office of Personnel Management,
400 7th Street, SW, Room 5306,

Washington, DC 20590.
Individuals requesting information about this system of records should provide their full name, date of birth, social security number, name and address of office in which currently or formerly employed in the Federal service.

Record access procedures: After a grievance case has been closed an individual or his representative may gain access to the official copy of a grievance record by contacting the System Manager. Individuals should provide their names, date of birth, approximate date and subject of the grievance.

Contesting record procedures: Contest, correction or amendment of the record is permitted during the prosecution of the grievance by the individual to whom the record pertains or his representative.

Record source categories: Individual to whom record pertains and/or representative.

Administration officials.
Affidavits or statements from employees.
Testimonies of witnesses.
Official documents relating to grievance.
Correspondence from organizations or persons.

DOT/NHTSA 438.

System name: Idaho Traffic Records System Accident Component - Driver Component. DOT/NHTSA.

System location: Under the auspices of:

Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
Systems are located as follows:
Accident Component:
Idaho Transportation Department,
P.O. Box 7129,
Boise, ID 83707.
Driver Component:
Department of Law Enforcement,
P.O. Box 31,
Boise, ID 83707.

Categories of individuals covered by the system: Accident Component - Information on all motor vehicle accidents, not identified by individual name.

Driver Component - All individuals who have a motor vehicle operators license.

Categories of records in the system: Accident Component - Includes information relating to vehicle accidents which have been reported on the motor vehicle accident report form.

Driver Component - Includes driver history including license application information, convictions, suspensions, accident occurrence.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Accident Component - Used by Division of Highways to analyze high accident locations to determine need of correction.

Used by State Police to guide them in enforcement routes.
Used by Traffic Safety Commission to determine problems to be corrected through safety programs.
Driver Component - Used by all law enforcement agencies to determine background of individuals they apprehend and if there are outstanding warrants.
Used by Department of Law Enforcement to determine drivers needing to be counseled or have licenses suspended due to point violation accumulation.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Both systems are maintained on disk packs.

Retrievability: Accident Component - Location, driver number, accident number, vehicle identification number (VIN).

Driver Component - Name, driver identification number

Safeguards: The program specification block in the data base controls who may have access to the data base. Since all material is on the data base this limits and safeguards the security of the system. The current separate driver component also has coded access.

Retention and disposal: The records are maintained for 5 years on the data base. At that time the information is spooled off onto a tape prior to purging from system. This spooled off information is maintained approximately one year and is destroyed by erasing or reusing tape.

System manager(s) and address: Regional Administrator,

Department of Transportation,
National Highway Traffic Safety Administration,
Region X Headquarters,
3140 Federal Building,
915 Second Avenue,
Seattle, WA 98174.

Notification procedure: Department of Transportation,

National Highway Traffic Safety Administration
Office of Contracts and Procurements,
400 7th Street, SW, Room 5301,
Washington, DC 20590.

Record access procedures: See address in 'Notification Procedure.'

Contesting record procedures: See address in 'Notification Procedure.'

Record source categories: Accident Component - Information comes from Officer Motor Vehicle Accident Report Form or from Individual Motor Vehicle Accident Report Form.

Driver Component - Information on driver comes from driver license application form. Information on convictions are from the courts. Information on accidents comes from accident report forms.

DOT/NHTSA 442.

System name: Restraint System Effectiveness Study. DOT/NHTSA.

System location: Under the auspices of:

Department of Transprotation (DOT),
National Highway Traffic Safety Administration (NHTSA),
System is located at:
Southwest Research Institute (SWRI),
Division 11,
8500 Culebra Road,
P.O. Drawer 28510,
San Antonio, TX 78284.

Categories of individuals covered by the system: Occupants of 1973-1976 passenger car vehicles that are towed from accident scenes.

Categories of records in the system: The following types of information are in the system:

Policy accident report which contains name, driver's license number and other data pertinent to the accident.
Medical report if injury or death occurs.
Copies of forms generated by SWRI during an investigation are enclosed for review.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system use by the Project Evaluator, Southwest Research Institute is purely statistical to provide DOT/NHTSA data to be used in conjunction with four other accident investigation teams to determine effectiveness of restraint systems in late model vehicles.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The system is stored on paper forms and is eventually coded into computer punch cards.

Retrievability: Records are normally retrieved by case number.

Safeguards: Only employees with a need to know work with the records which are stored in a locked cabinet.

Retention and disposal: The data collected on the SWRI forms are maintained for five years. In all probability records will be destroyed by burning.

System manager(s) and address: Chief, Structures Research Division,

Department of Transportation,
National Highway Traffic Safety Administration,
Office of Vehicle Safety Research,
2100 2nd Street, SW,
Washington, DC 20590.

Notification procedure: Department of Transportation,

National Highway Traffic Safety Administration,
Office of Contracts and Procurement, N48-30,
400 7th Street, SW, Room 5301,
Washington, DC 20590.

Record access procedures: See address in ' Notification Procedure'.

Contesting record procedures: See address in 'Notification Procedure'.

Record source categories: The information in the system comes from:

Law enforcement agencies in seven counties.

Hospitals.
Data gathered by SWRI accident investigation teams.

DOT/NHTSA 443.

System name: Cost Effectiveness Study of Breakaway and Non-Breakaway Poles, Including Sign and Light Standards Along Highways. DOT/NHTSA.

System location: Under the auspices of:

Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
System is located at:
Southwest Research Institute (SWRI),
Division 11,
8500 Culebra Road,
P.O. Drawer 28510,
San Antonio, TX 78284.
University of Kentucky Research Foundation,
East Wing, Kinkead Hall,
Lexington, KY 40506.

Categories of individuals covered by the system: Occupants of passenger car vehicles that are involved in accidents with breakaway and non-breakaway poles including sign and light standards along highways.

Categories of records in the system: The following types of information are in the system:

Police accident report which contains name, driver's license number and other data pertinent to the accident.
Medical report if injury or death occurs.
Copies of forms to be generated by SWRI during an investigation are enclosed for review.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is used by the Project Evaluators, Southwest Research Institute and University of Kentucky Research Foundation for purely statistical purposes to provide DOT/NHTSA data to be used in conjunction with a cost effectiveness study of breakaway versus non-breakaway poles including sign and light standards.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The system is stored on paper forms and is indexed by SWRI case number. The information will eventually be put on computer punch cards.

Retrievability: The card deck and police accident report are then forwarded to DOT/NHTSA for their use.

Safeguards: Only employees with a need to know work with the records which are stored in a locked cabinet.

Retention and disposal: The data collected on the SWRI forms are maintained for five years.

In all probability records will be destroyed by burning or shredding.

System manager(s) and address: Chief, Accident Investigation Division,

Department of Transportation,
National Highway Traffic Safety Administration,
Office of Statistics and Analysis,
2100 2nd Street, SW,
Washington, DC 20590.

Notification procedure: Department of Transportation,

National Highway Traffic Safety Administration,
Office of Contracts and Procurement, N48-30,
400 7th Street, SW, Room 5301,
Washington, DC 20590.

Record access procedures: See address in 'Notification Procedure' above.

Contesting record procedures: See address in 'Notification Procedure' above.

Record source categories: The information in the system comes from:

Law Enforcement Agencies in San Antonio, Texas and Lexington, Kentucky.
Hospitals and University of Kentucky Research Foundation.
Data gathered by SWRI and University of Kentucky Research Foundation accident investigation teams.

DOT/NHTSA 447.

System name: Drinking Driver Tracking System. DOT/NHTSA.

System location: Under the auspices of:

Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
System is located at:
State Office Building,
Salt Lake City, Utah 84114.

Categories of individuals covered by the system: Persons convicted while under the influence of alcohol.

Categories of records in the system: Identification data, driving record history and probation record.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To analyze and evaluate drunk driver's records to look for trends, similarities and redivision rates.

To extract statistical information for evaluation purposes.
See Prefatory Statement of General Routine Uses

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape.

Retrievability: By individual name or driver's license number.

Safeguards: Only personnel of the Utah Highway Safety Program Office can get information from file, which is stored in secured file cabinets.

Retention and disposal: 5 years; erased from file.

Source documents are destroyed after information is taken off

System manager(s) and address: Regional Administrator,

Department of Transportation,
Region VIII,
330 South Garrison Street,
Lakewood, CO 80226.

Notification procedure: Department of Transportation,

National Highway Traffic Safety Administration,
Office of Contracts and Procurement, N48-30,
400 7th Street, SW, Room 5301,
Washington, DC 20590.

Record access procedures: See address in 'Notification Procedure' above.

Contesting record procedures: See address in 'Notification Procedure' above.

Record source categories: Police arrest records.

Court records.
Probation records.
State Driver License Division.

DOT/NHTSA 451.

System name: Medical Records and Research Data. DOT/NHTSA.

System location: Department of Transportation (DOT),

National Highway Traffic Safety Administration (NHTSA),
System is located at:
Naval Aerospace Medical Research Laboratory (NAMRL),
Pensacola, FL 32512; and at:
NAMRL Detachment,
New Orleans, LA

Categories of individuals covered by the system: Military research subjects.

Categories of records in the system: Medical Histories, results of physical examinations, psuchological testing, electrocardiograms, audiograms, x-rays, and miscellaneous clinical laboratory results.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used to screen research subjects and for statistical purposes by military and civilian personnel employed at this activity.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in file folders, magnetic tape and punch cards.

Retrievability: The key for retrieval is name or social security number.

Safeguards: Records are not sent to records center because they are considered raw scientific data.

Records are destroyed by burning when research projects are completed.
The military health records are sent to Naval Manpower Center, Bainbridge, Maryland when an active duty member completes his tour of service.

System manager(s) and address: Vehicle Engineering Research Division,

Department of Transportation,
National Highway Traffic Safety Administration,
Office of Passenger Vehicle Research,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Department of Transportation,

National Highway Traffic Safety Administration,
Attention: Director, Office of Contracts and Procurement, N48-30,
400 7th Street, SW, Room 5301,
Washington, DC 20590.

Record access procedures: See address under 'Notification Procedure' above.

Contesting record procedures: See address under 'Notification Procedure' above.

Record source categories: Personal medical history, personal responses to test, medical examinations, and results of experimental data.

DOT/NHTSA 454.

System name: Alcohol Behavior Research. DOT/NHTSA.

System location: Under Auspices of:

Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
System is located at:
13766 S. Hawthorne Boulevard,
Hawthorne, CA 90250.

Categories of individuals covered by the system: Male, heavy drinkers.

Categories of records in the system: Self-professed drinking ability, medical condition, personality traits, experimental drinking data, experimental performance data.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Experimenters' selection of subjects for alcohol and automobile control behavior research.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders are kept in the technical library.

Retrievability: System is indexed by subject's name.

Safeguards: Accessible by the experimenter from the locked storage cabinet.

Retention and disposal: Depend on the success and longevity of the particular line of research.

System manager(s) and address: Director, Office of Driver and Pedestrian Research,

Department of Transportation,
National Highway Traffic Safety Administration,
2100 2nd Street, SW,
Washington, DC 20590.

Notification procedure: Department of Transportation,

National Highway Traffic Safety Administration,
Office of Contracts and Procurement, N48-30,
400 7th Street, SW, Room 5301,
Washington, DC 20590.

Record access procedures: See address in 'Notification Procedure' above.

Contesting record procedures: See address in Notification Procedure' above.

Record source categories: Written examination filled out by the individual and experimental data collected during tests.

DOT/NHTSA 455.

System name: Debt Complaint File. DOT/NHTSA.

System location: Department of Transportation (DOT), National Higwhway Traffic Safety Administration (NHTSA),

Office of Personnel Management,
400 7th Street, SW, Room 5306,
Washington, DC 20590.

Categories of individuals covered by the system: Employees of the NHTSA on whom the Agency has received contacts from creditors concerning indebtedness.

Categories of records in the system: Letters and other correspondence from creditors, collection agents, and state and local tax supported institutions with claims upon employees of the NHTSA.

System also contains copies of agency responses, employee statements of intention to pay debts, and other related correspondence.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in the system may be used by officials of the agency to determine an employee's suitability for continued employment.

Documents in the file may be used to substantiate disciplinary actions related to indebtedness.
Material in file may be used oto verify prior debt complaints from the same creditor on the same individual in order to respond to the creditor's current correspondence.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records stored in file folders.

Retrievability: Indexed by name.

Safeguards: Records are located in lockable file cabinets with access limited to individuals with an official need to know.

Retention and disposal: Retained in file for 6 months following separation or transfer of employee unless documents become part of disciplinary or appeal files covered by Civil Service Commission regulations.

System manager(s) and address: Director, Office of Personnel Management,

National Highway Traffic Safety Administration,
Department of Transportation,
400 7th Street, SW, Room 5306,
Washington, DC 20590.

Notification procedure: Individuals desiring to review information about them in the system of records should address inquiries to the System Manager. Individuals requesting the information should provide their full name, date of birth, and social security number.

Record access procedures: Individuals desiring to access information in this system should address inquiries to the System Manager.

Contesting record procedures: Individuals desiring to contest information in this system of records should address inquiries to the System Manager.

Record source categories: The individual to whom the record applies.

Creditors.
Tax supported institutions.
Courts.

DOT/NHTSA 457.

System name: Reference Files. DOT/NHTSA.

System location: Department of Transportation (DOT),

National Highway Traffic Safety Administration (NHTSA),
Office of Personnel Management,
400 7th Street, SW, Room 5306,
Washington, DC 20590.

Categories of individuals covered by the system: Employees of the National Highway Traffic Safety Administration.

Categories of records in the system: File consists of reference checks, medical examination reports, and fitness-for-duty medical examination reports.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in the system may be used by officials of the Agency to determine employee's suitability for employment and continued employment.

Documents in the file may be utilized as basis for separation actions after appointment.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored in manila envelopes.

Retrievability: Records are retrievable by employee name.

Safeguards: Records are maintained in locked file cabinets. Access is limited to those whose official duties require access.

Retention and disposal: Files are maintained during period of employment. Except for medical examination reports, which will be transferred to another agency if employee transfers, the records in the file are destroyed upon employee separation. Medical examina-

tion records are destroyed, however, when inter-agency transfer is not the basis for separation.

System manager(s) and address: Director, Office of Personnel Management,

Department of Transportation,
National Highway Traffic Safety Administration,
400 7th Street, SW, Room 5306,
Washington, DC 20590.

Notification procedure: Inquiries about the system of records should be directed to the System Manager. Individuals requesting information should provide their name, mailing address, and social security number.

Record access procedures: Individuals who desire access to or to contest information about them in this system of records should contact the System Manager.

Contesting record procedures: Same as 'Record Access Procedure' above.

Record source categories: Previous Employers.

Medical Practitioners.
Employee to whom the record pertains.

DOT/NHTSA 458.

System name: Investigations of Alleged Misconduct or Conflict of Interest. DOT/NHTSA.

System location: Department of Transportation (DOT),

National Highway Traffic Safety Administration (NHTSA),
Office of Associate Administrator for Administration,
400 7th Street, SW, Room 5238,
Washington, DC 20590.

Categories of individuals covered by the system: Name of individual, state or contractor.

Categories of records in the system: Copies of allegations, investigations, audits, and recommendations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In assessing need for corrective action as necessary.

Available to Associate Administrator for Administration, individual assigned to the review or investigation, and Secretary to the Associate Administrator for Administration.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in folders in safe.

Retrievability: Identified alphabetically by name.

Safeguards: Safe combination is available only to the secretary of the Associate Administrator for Administration and secretary to the Director, Management Systems.

Retention and disposal: Until one year following final disposition of case then shredded.

System manager(s) and address: Associate Administrator for Administration,

Department of Transportation,
National Highway Traffic Safety Administration,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Department of Transportation,

National Highway Traffic Safety Administration,
Attention: Associate Administrator for Administration, N48-01,
400 7th Street, SW, Room 5238,
Washington, DC 20590.

Record access procedures: See address in 'Notification Procedure' above.

Contesting record procedures: See address in 'Notification Procedure' above.

Record source categories: OST Office of Investigations and Security, FBI, Office of Audits, and internal investigative individuals.

State and local investigative and law enforcement agencies.

DOT/NHTSA 459.

System name: Stockton Increased DUI Enforcement/DUI Citation and Arrest File. DOT/NHTSA.

This file will be modified specifically for this project to include driver's license numbers and BAC levels.
Other files to be used are already maintained by the City of Stockton (traffic and criminal information) or will contain no information by which an individual could be identified (roadside survey data).

System location: Under the auspices of the:

Department of Highway Traffic Safety Administration (NHTSA),
System is located at:
Department of Psychology,
University of the Pacific,
Stockton, CA 95211.
and at the
Records Division,
City Hall,
22 East Market Street,
Stockton, CA 95202.

Categories of individuals covered by the system: Persons cited and/or arrested for DUI in City of Stockton.

Categories of records in the system: Citation and/or arrest records; court records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used to determine BACs of DUI offenders and recidivism rate overtime.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Record are maintained on magnetic tape and cards.

Retrievability: By name and driver's license number.

Safeguards: Records will be available for use by professional personnel only on evaluation team.

Records will be stored in a locked file cabinet in the Psycology Department or on tape at either computer center.

Retention and disposal: Retained for 10 years.

System manager(s) and address: Chief, Program and Demonstration Management Division, N42-11,

Department of Transportation,
National Highway Traffic Safety Administration,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Department of Transportation,

National Highway Traffic Safety Administration,
Attention: Director, Office of Contracts and Procurement, N48-30,
400 7th Street, SW, Room 5301,
Washington, DC 20590.

Record access procedures: See address in 'Notification Procedure' above.

Contesting record procedures: See address in 'Notification Procedure' above.

Record source categories: Citation and/or Arrest Records.

DOT/NHTSA 460.

System name: College Station/Young Problem Driver Improvement Program/ TDIP Driving Record File. DOT/NHTSA.

System location: Under the auspices of the:

Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
System is located at:
Room 114, Mechanical Engineering Shops,
Texas Transportation Institute,
Texas A&M University,
College Station, TX 77840.

Categories of individuals covered by the system: Drivers assigned to participate in Driver Improvement Training Program and control counterparts.

Categories of records in the system: This is a general driving record maintained on all drivers holding a valid Texas driver's license, and includes such information as:

(1) Name, date of birth, and sex.
(2) Date of issuance of license and license number.
(3) Current address.
(4) A listing of all convictions and accidents for the previous 36 months.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records will be used to evaluate the effectiveness of a driver improvement training program in reducing the accident and conviction experience of problem and near-problem drivers.

Users are Evaluation Specialists working on contract.
Analysis of gross recidivism rates for near problem and problem drivers will be forwarded to NHTSA.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Driving records will be maintained as hard copy printouts.

Retrievability: System is indexed by driver's license number.

Safeguards: Driving records are maintained in coded files such that access by name is not possible.

Retention and disposal: Records will be maintained for approximately 30 months and then will be burned.

System manager(s) and address: Regional Administrator,
Department of Transportation,
National Highway Traffic Safety Administration,
Region VI Headquarters,
819 Taylor Street, Room 11A26,
Fort Worth, TX 76102.

Notification procedure: Department of Transportation,
National Highway Traffic Safety Administration,
Attention: Director, Office of Contracts and Procurement, N48-30,
400 7th Street, SW, Room 5301,
Washington, DC 20590.

Record access procedures: See address in 'Notification Procedure' above.

Contesting record procedures: See address in 'Notification Procedure' above.

Record source categories: Information being maintained is obtained from Texas Department of Public Safety driver record files. Address:
Texas Department of Public Safety,
Austin, TX.

DOT/NHTSA 461.

System name: Hotline-Call Report System. DOT/NHTSA.

System location: Department of Transportation (DOT),
National Highway Traffic Safety Administration (NHTSA),
Office of Defects Investigation,
400 7th Street, SW, Room 5328,
Washington, DC 20590.

Categories of individuals covered by the system: Vehicle owners according to make/model/year of motor vehicles owned, and/or according to safety information requested.

Categories of records in the system: System contains:
Vehicle defect-related owner complaints or information.
Vehicle or equipment failure-related complaints or information.
Inquiry groupings according to types of safety-related information or written source-materials requested.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: System is used to indicate emerging patterns of vehicle or vehicle equipment failure, and/or to correlate such patterns with typographical or geographical regions, in order to support defect-related NHTSA investigations and vehicle recall actions as authorized by statute. Individuals may be contacted to verify the accuracy of the information initially provided.

System is also used to categorize the types of informational requests and safety-related materials most requested and/or needed by all users of the Hotline service.

System is also used to generate statistical evaluation of Hotline-call volume, frequency, service rendered, degree of safety-related information recorded and utilized as a result of the Hotline's installation.

Records may be disclosed to other Federal or State agencies or consumer groups having remedial or response jurisdiction over the individual complaint recorded.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: On hard copy and magnetic tape.

Retrievability: By name and case number.

Safeguards: Appropriate ADP procedures for safeguarding data are utilized with the system.

Retention and disposal: System is maintained in support of an experimental 'pilot' program. Hence, length of record retention is now unknown. Destruction, when authorized, will be by shredder (hard copy) and by deletion (magnetic tape).

System manager(s) and address: Director, Office of Defects Investigation,
Department of Transportation,
National Highway Traffic Safety Administration,
400 7th Street, SW,
Washington, DC. 20590

Notification procedure: Department of Transportation,
National Highway Traffic Safety Administration,
Director, Office of Defects Investigation,
400 7th Street, SW,
Washington, DC 20590.

Record access procedures: Same as listed under 'Notification Procedure' above.

Contesting record procedures: Same as listed under 'Notification Procedure' above.

Record source categories: All information in the system is voluntarily submitted by vehicle owners, individual citizens, or other interested parties.

DOT/NHTSA 463.

System name: Motor Vehicle and Motor Vehicle Equipment Import. DOT/NHTSA.

System location: Department of Transportation,
National Highway Traffic Safety Administration,
Office of Vehicle Safety Compliance,
400 7th Street, SW,
Washington, DC 20590.

Categories of individuals covered by the system: Importers or declarants of imported motor vehicles and motor vehicles equipment, both private and commercial.

Categories of records in the system: Forms HS-7, declaration on motor vehicles and motor vehicle equip- ment subject to Federal Motor Vehicle Safety Standards.

Customs reports of declarations and inspections.

Records relating to refusal of entry or penalties, and in some instances law enforcement and court records in alleged fraud cases.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used for monitoring compliance with Federal Motor Vehicle Safety Standards by NHTSA.

Records may be released to the Environmental Protection Agency for compliance with the Clean Air Act and to the U.S. Customs Service for import requirements.

Released to State divisions of motor vehicles for state purposes and to law enforcement agencies in alleged fraud cases.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper forms and computer disc tapes.

Retrievability: By name of importer or declarant, addressee(s) vehicle or vehicle identification, customs district and entry number, and port of entry.

Safeguards: Disc or tape may be accessed only by discrete identification code known to the System Manager and staff.

Hard paper copies are maintained in locked cabinets.

Retention and disposal: Hard paper copy is retained one year if no official claims are lodged against importer or declarant.

Disc and tapes retained for period of U.S. Customs Service statute of limitations before erasure.

System manager(s) and address: Team Leader, Customs Unit,
Office of Vehicle Safety Compliance,
National Highway Traffic Safety Administration,
Department of Tansportation,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Same as 'System Manager.'

Record access procedures: Same as 'System Manager.'

Contesting record procedures: Same as 'System Manager.'

Record source categories: Data is obtained from forms executed by importers or declarants for the NHTSA,U.S. Customs Service, and the Environmental Protection Agency.

DOT/NHTSA 465.

System name: Improved Motorcyclist Licensing and Testing Project (IMLTP).

System location: Department of Motor Vehicles,
Division of Electronic Data Processing Service,

2415 First Avenue,
Sacramento, California 95818.

Categories of individuals covered by the system: Applicants for original motorcycle license or endorsement.

Categories of records in the system: Name, Driver's License Number, Address, Birthday, Sex, Educational level, Previous Experience Riding Motorcycles, Application Data, Knowledge Test Total Scores and Item Scores, Knowledge Test Administration Date, Mini-Skill Test Total Scores and Item Scores, Drive Test Administration Date, Drive Test Total Scores and Item Scores, Remedial Skills Training Data, Date Attended Remedial Skills Training, Accident and Conviction Record Since Date of Application.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Evaluation Specialist will use the system for the following:

To evaluate the effect of the licensing programs on accidents and convictions.
To determine the validity of the tests.
To evaluate the effect of remedial skills training on subsequent accidents and convictions.
To evaluate the influence of applicant characteristics on the licensing rate and on the accident reducing effectiveness of the licensing program.
To prepare management information system reports.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape.

Retrievability: By I.D. Number of drivers license Number.

Safeguards: The contents of the collected data will not be available to any public source. The Tape Library is in a locked room with controlled access.

Retention and disposal: The records will be kept on tape until ten years after completion of the study. Then the ID No., Application No. or Drivers License No. will be erased, and the records will be available to other researchers.

System manager(s) and address: Chief,

Program and Demonstration Management Division,
ODPP. Room 5130,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Inquiries should be directed to:

Department of Transportation
National Highway Traffic Safety Administration
Room 5301,
400 7th Street, SW,
Washington, DC 20590
Atten: Director, Office of Contracts and Procurement (N48-30).

Record access procedures: Write or contact System Manager.

Contesting record procedures: All of the information in the system comes from the motorcycle subject file, the Driver's License Examiner file, or the driver's license files of the State of California.

DOT/NHTSA 466.

System name: National Highway Traffic Safety Administration Employee Travel Advances and Expense File.

System location: Room 4103,

DOT Headquarters Building,
400 7th Street, SW,
Washington, DC 20590.

Categories of individuals covered by the system: NHTSA Employees at Headquarters and the ten Regional Offices

Intergovernmental Personnel Act Employees of NHTSA
Temporary Employees of NHTSA

Categories of records in the system: Employee Name

Employee Number
Travel Order Number
Travel Advances Outstanding:
Continuing Advance Amount and date issued
Trip advance amount and date issued
Change of Station advance amount and date issued
Payments of advances
Travel Expense:
Subsistence
Transportation of Persons

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To maintain accountability of travel and transportation costs by object class for each allottee - Budget and Accounting Report - RIC-0031.

To control funds advanced to employees for travel and change of station.
To record detail of transactions processed for each budget allotment/allowance - Operating Budget - RIC09032.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Original records are maintained by the Office of Financial Management as follows:

Travel Orders, DOT 1500.3 and DOT 1500.4
Travel Vouchers, SF-1012
Travel Advance Record, DOT 1500.5
Data coded from these documents are keypunched to cards and proceessed for disc storage.

Retrievability: Job controls (JCL's) for retrieving data for periodic reports are maintained. Each report is identified by Report I.D. and by Report Name.

Safeguards: JCL's are kept in a locked cabinet under custody of System Manager.

Retention and disposal: Original Records are retained in accordance with the Comptroller General's requirements for record retention.

Punched cards are disposed of three months after processing as input to disc.
Hard copies of reports are retained for one year.

System manager(s) and address: Chief,

Accounting Operations
Room 4103,
Office of Financial Management
400 7th Street, SW
National Highway Traffic Safety Administration
Washington, DC 20590.

Notification procedure: Address all inquiries to:

Privacy Act Coordinator, Room 4103
Office of Financial Management
National Highway Traffic Safety Administration
400 7th Street, SW
Washington, DC 20590
Request for data may be made by any employee of NHTSA concerning the employee's own record. Request must be in writing and must identify:
System Name: DOT/NHTSA Travel Advances and Expense
Employee Number
Employee Name

Record access procedures: All inquiries as to procedures for gaining access to and Contesting records shall be directed to:

Privacy Act Coordinator - Room 4103
Office of Financial Management
National Highway Traffic Safety Administration
400 7th Street, SW
Washington, DC 20590

Contesting record procedures: DOT Form 1500.2 Application and Account for Advance of Funds

DOT Form 1500.3 Travel Order for Temporary Duty
DOT Form 1500.4 Travel Order for Permanent Change of Station
SF-1012 Travel Expense

DOT/NHTSA 467.

System name: Driver Programs Data System (DOT/NHTSA). Safe Performance Secondary School Driver Education Curriculum/Demonstration Project Analysis File.

System location: Battelle-Columbus Laboratories (BCL), 505 King Avenue, Columbus, Ohio 43201.

Categories of individuals covered by the system: 15-16 year old, non-licensed DeKalb County, Ga., High School student volunteers for Driver Education.

Categories of records in the system:

(a) DeKalb County School System Records:

(1) Student Entry Data consisting of name, DeKalb County student number, driver's license number, student project number (a unique number assigned to each student

participating in the project), birthdate, sex, high school, site, socioeconomic status index, term of instruction, driver's education groups Safe Performance Curriculum (SPC), Pre-Driver Licensing Curriculum (PDL), and Control Group. (2) DeKalb County Student Master Data consisting of grade point average, address, schedule information, driver education teacher, driver education class, changes in student status, transferring schools within DeKalb County, leaving the DeKalb County School District. (3) Driver Education Project Information consisting of driver education test scores, pretest, unit tests, skill tests, post test, result of driving habit survey(s). (b) Driver History File consisting of student project number, cumulative number of points, name/date/length of suspensions, restrictions on driving, issue date of driver's license/learner's permit, exam date of driver's test, habitual offender/date, currently licensed, record of each citation; type of violation(s), date of violation, number of points for each violation, accident involved, license suspended/revoked. (c) Accident History File consisting of citation to project person, one vehicle or multi-vehicle accident, pedestrian/bicyclist accident, date of accident, violations for this accident, type of accident, property damage/injury/fatality, number of injuries, number of fatalities, position in car of injured/dead, severity of injuries.

Authority for maintenance of the system: Highway Safety Act of 1966, Section 403.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Battelle-Columbus Laboratories at six month intervals will evaluate the effectiveness of Safe Performance Curriculum as a driver education program and report results to NHTSA program manager.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The automated records are stored at Battelle-Columbus Laboratories (BCL) on magnetic tape and disk. The manual records are kept in files in a physically secured room.

Retrievability: The manual records are indexed by student project number to preclude the use of names. However, the automated records can also be retrieved by name, address, birthday and Georgia drivers license number.

Safeguards: The contents of the collected data will not be available to any public source. Records are maintained in a secure area with controlled access. In addition, access to the computer system is through the use of account numbers.

Retention and disposal: All client data will be retained until project termination, at that time de-identified (ID number, DL number, and name removed) copies of the analysis file will be submitted to the Office of Driver and Pedestrian Programs, NHTSA, Washington, D.C., and to other research organizations specifically requesting the de-identified data, as per NHTSA approval.

System manager(s) and address: Department of Transportation, Chief, Program and Demonstration Management Division, National Highway Traffic Safety Administration, Room 5130, 400 7th Street SW., Washington, D.C. 20590.

Notification procedure: Inquiries should be directed to the System Manager.

Record access procedures: Contact or write to the System Manager.

Contesting record procedures: Initiate requests for changes to records by writing to Systems Manager.

Record source categories: DeKalb County, Ga., school system records, Georgia Department of Public Safety Driving Records.

DOT/NHTSA 468

System name: New Jersey Novice Driver Evaluation Project

System location: New Jersey Division of Systems and Communications

River Road
West Trenton, New Jersey

Categories of individuals covered by the system: Selected New Jersey drivers under the age of 20, during the period 1975 through 1983.

Categories of records in the system: Driver license number, biographical information, DMV records, driver education/driver improvement records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The data will be used to evaluate the effectiveness of New Jersey's Probationary Driver Program in reducing the incidence of accidents and violations among novice drivers. Statistical comparisons will be made of group accident and violation rates to determine overall component effectiveness of the project. No use will be made of any single individual's data. See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records will be maintained on storage mediums of magnetic tape and disc.

Retrievability: Driver license number

Safeguards: Data will not be available to any public source. Records are maintained in a secure area with controlled access through the use of both an account number and an access privacy code.

Retention and disposal: All subject data will be retained until project termination. At that time, de-identified copies of the analysis file will be submitted to Office of Driver and Pedestrian Programs, NHTSA, Washington, D.C., and to other research organizations specifically requesting the de-identified data, as per NHTSA approval.

System manager(s) and address: Contract Technical Manager

Demonstration Evaluation Division, NTS-12
400 7th Street, S.W.
Washington, D.C. 20590

Notification procedure: Same as above.

Record access procedures: Same as 8 above.

Record source categories: New Jersey: Driver License Records

State Police Accident Records
Municipal Police Accident Reports
High School Driver Education Records
Municipal Court Reporting System
Probationary Driver Program Records

DOT/NHTSA 469

System name: Survey on Low Damage Accidents Involving Bumpers.

System location: Westat Inc.

11600 Nebel Street
Rockville, Maryland 20852

Categories of individuals covered by the system: Selected automobile owners within continental United States.

Categories of records in the system: Vehicle inventory, characteristics of incidents (i.e., object struck, point of contact on car, miles per hour, place, date, etc.), damage to property and/or people and exposure of car.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records will be used by NHTSA to evaluate the effectiveness of bumpers designed to meet the requirements of Federal Motor Vehicle Safety Standard 215 or Title I of the Motor Vehicle Information and Cost Savings Act in reducing vehicle damage in low-speed collisions. See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic Tape

Retrievability: Serial number assigned to case.

Safeguards: (a) Interviewers will keep completely confidential respondent identifiers and information collected. (b) Survey instruments containing respondent identifiers will be stored in locked cabinets or locked room. (c) Respondent identifiers will not be part of the machine record. (d) Upon completion of the pilot study, respondent identifiers will be destroyed. Retrievability Information: These records are retrieved by Name, Address, and Phone Number.

Retention and disposal: Upon completion of the pilot phase, respondent identifiers, i.e., names, addresses and telephone numbers will be destroyed. Survey instruments will be kept until the completion of the main survey and then destroyed. Records will be kept on tape and after completion of the main survey will be turned over to the Contact Technical Manager.

System manager(s) and address: Contract Technical Manager

Office of Program Evaluation
National Highway Traffic Safety Administration
Room 5212, 400 7th Street, S.W.
Washington, D.C. 20590

Notification procedure: Department of Transportation

National Highway Traffic Safety Administration
Room 5301, 400 7th Street, S.W.
Washington, D.C. 20590
Attn: Director, Office of Contracts and Procurement

Record access procedures: Contact System Manager

Record source categories: All of the information in the system will be supplied by the individual himself.

DOT/OST 001.

System name: General Employee Records System. DOT/OST.

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
400 7th Street, SW, Room 10320A and 10314,
Washington, DC 20590.

Categories of individuals covered by the system: Current employees of the Office of Management Planning.

Categories of records in the system: This system consists of copies of Time and Attendance cards of all employees in the Office of Management Planning and the Office of the Assistant Secretary for Administration, showing what their pay status was at any particular time. Maintenance of Employee Records (SF-7B) for all employees in the Office of Management Systems. Retention of copies of paid travel vouchers for certain employees of the Department of Transportation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records is used to provide a readily available source of reference for organizational planning; ready reference as to attendance; general idea of how travel funds are being utilized.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders, on index cards, and in file boxes.

Retrievability: These records are maintained chronologically by name; by individual division; and, individual regions.

Safeguards: Access to and use of these records are limited to persons whose official duties require such access. Files are maintained in room 10324 which is locked during non-work hours. The system manager's secretary is responsible for screening people who wish to use the files, for filing, and for maintenance of the files.

Retention and disposal: The records are maintained while the individuals are employed in the Office of Management Planning.

System manager(s) and address: Director of Management Planning,
Department of Transportation,
Office of the Secretary,
TAD-20, Room 10324,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Any individual who wishes to inquire as to whether this system contains records about him may write to:
Department of Transportation,
Office of the Secretary,
Office of Management Planning,
Director's Secretary,
400 7th Street, SW, Room 10324,
Washington, DC 20590.
The written request should include the individual's social security number or a notarized signature. An individual who wishes to make an inquiry in person should present himself and his DOT building pass to:
Director's Secretary,
400 7th Street, SW, Room 10324,
Washington, DC 20590.

Record access procedures: Employees who wish to gain access or contest their records should contact:
Department of Transportation,
Office of the Secretary,
Director of Management Planning,
400 7th Street, SW,
Washington, DC 20590.

Contesting record procedures: Same as 'Record Access Procedure' above.

Record source categories: Information in this system of records either comes from the individual to whom it applies or is derived from information he supplied.

DOT/OST 003.

System name: Allegations of Infringement of United States Patents. DOT/OST.

System location: Office of the Secretary of Transportation,
Office of the General Counsel,
400 7th Street, SW, Roomm 10424,
Washington, DC, 20590.

Categories of individuals covered by the system: Individuals who believe that an agency of the Department of Transportation is infringing a United States patent owned by the individual.

Categories of records in the system: Copies of correspondence alleging that agencies of the Department of Transportation have infringed, or are infringing, United States patents owned by the originators of the correspondence. Copies of replies by the Department Patent Counsel to the originator of the allegation. Copies of correspondence forwarding the allegation to the particular Department agency accused for their comment; their replies to Patent Counsel. Copies of correspondence between the Department of Transportation and the Department of Justice concerning the allegations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a record of allegations and Patent Counsel's actions thereon.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders stored in file cabinets.

Retrievability: Indexed individually by name in alphabetical sequence.

Safeguards: Records are disclosed only to individuals with established legal interest or legal 'need to know.'

Retention and disposal: Transfer to Federal Records Center two years after close of file; Destroy 25 years after close of file.

System manager(s) and address: Mail Address:
Patent Counsel, C-15,
U.S. Department of Transportation,
Washington, DC 20590.
Office Location:
400 7th Street, SW, Room 10424

Notification procedure: Apply to System Manager

Record access procedures: Apply to System Manager

Contesting record procedures: Apply to System Manager

Record source categories: Patent owners.

DOT/OST 004.

System name: Board for Correction of Military Records (BCMR). DOT/OST.

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
Office of the General Counsel,
400 7th Street, SW, Room 10424,
Washington, D.C. 20590

Categories of individuals covered by the system: Military personnel requesting the Board for Correction of Military Records to correct their military records.

Categories of records in the system: Copies of actions of the General Counsel acting under delegated authority approving or disapproving BCMR cases.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a record of the General Counsel's action in individual BCMR cases.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders stored in file cabinets (Conserv-a-File).

Retrievability: Indexed individually by name in alphabetical sequence.

Safeguards: Files are kept in the office of the Assistant General Counsel. Requests are referred to the Executive Secretary, BCMR.

Retention and disposal: Retire in 3 years; destroy in 6 years.

System manager(s) and address: Mail Address:
Assistant General Counsel for Environmental, Civil Rights and General Law, C-10,
U.S. Department of Transportation
Washington, D.C. 20590
Office Location:
400 7th Street, SW, Room 10424

Notification procedure: Contact System Manager

Record access procedures: Contact System Manager

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: Official agency records; hearings, documentary material from outside the agency.

DOT/OST 006.

System name: Confidential Statement of Employment and Financial Interests. DOT/OST.

System location: Department of Transportation (DOT),

Office of the Secretary (OST),
Office of the General Counsel,
400 7th Street, SW, Room 10424,
Washington DC 20590.

Categories of individuals covered by the system: Employees of the Department of Transportation in supervisory or other positions where a conflict of interest or the appearance of a conflict of interest might occur. Also included in this category are Consultants and Experts of the Department of Transportation.

Categories of records in the system: Information on employment and financial interests and debts.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information to be furnished is required by Executive Order 11222 and the regulations of the Office of Personnel Management (OPM) issued thereunder and may not be disclosed except as the OPM or the agency head may determine. The purpose of the use of this information is to avoid a conflict of interest or the appearance of a conflict of interest in DOT employees.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Accordion - type file folder.

Retrievability: Indexed individually by name in alphabetical sequence.

Safeguards: Records are stored in safe.

Retention and disposal: Records are kept 3 years and then destroyed.

System manager(s) and address: Mail Address:

Deputy General Counsel, C-2,
U.S. Department of Transportation,
Washington, D.C. 20590.
Office Location:
400 7th Street, SW, Room 10428 11

Inquiries may be addressed to the Deputy General Counsel either in person or in writing. If written the individual must provide a notarized signature.

Record access procedures: Access to records requires the individual to contact in person or write the Deputy General Counsel.

Contesting record procedures: Contest of a record is also through the Deputy General Counsel.

Record source categories: Statements of employment and financial interests, creditors, interests in real property are submitted by employees and consultants of the Department of Transportation. Initial requests for submission of statements are through the Office of Personnel and Training.

DOT/OST 008.

System name: Departmental Advisory Committee Files. DOT/OST.

System location: Department of Transportation (DOT),

Office of the Secretary (OST),
Office of the Executive Secretary,
400 7th Street, SW,
Washington, DC 20590.

Categories of individuals covered by the system: Present and former members of Departmental Advisory Committees.

Categories of records in the system: Individual index card membership file listing name, address, occupation, committee name, and term of appointment.

Biographical information on committee members.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To prepare reports required by the Congress and the Office of Management and Budget.

To answer inquiries on the membership status of individuals received from Departmental elements as well as from public and private organizations and individuals.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 3x5 index card file.

File folders.

Retrievability: Alphabetically by individual's name.

Alphabetically by committee name.

Safeguards: Files kept in locked room, accessible only by permission of the Committee Records Manager.

Retention and disposal: Maintained indefinitely.

Retired to Federal Records Center within five years after a committee becomes inactive.

System manager(s) and address: Executive Secretary/DOT Committee Management Officer,

Department of Transportation,
Office of the Secretary,
Office of the Executive Secretary,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Inquiries should be directed to the System Manager. Full, correct name of advisory committee, if known, will facilitate location of information.

Record access procedures: Contact System Manager for information on procedures for gaining access to records.

Contesting record procedures: Contact System Manager for information on procedures for contesting records. Appeals should be directed to the Secretary of Transportation, if request for modification or deletion is denied.

Record source categories: Information supplied by the Committee Sponsor.

DOT/OST 010.

System name: Departmental Personnel Management Information System. DOT/OST.

System location: Department of Transportation (DOT),

Transportation Computer Center,
400 7th Street, SW, Room 2401,
Washington, DC 20590.
Informatics, Inc.,
Six Kings Bridge Road,
Fairfield, New Jersey 07006.

Categories of individuals covered by the system: Federal civilian employees of the U. S. Department of Transportation.

Categories of records in the system: Personnel Records and Training Records

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Issue automated records to the Office of Personnel Management.

Submit personnel reports, summaries and name listings to the Office of Personnel Management, Office of Management and Budget, U. S. Department of Commerce, U.S. Congress, and other government agencies.

Develop statistical summaries and name listings for use in performing personnel management functions and other manpower and budgetary functions of the Department.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic Tapes and Disks.

Retrievability: Social Security Number.

Safeguards: Transportation Computer Center maintains both physical security and personal access by retrieve/access procedures and secured storage and operative areas.

Retention and disposal: The personnel records are maintained for a 3 year period while the training records will be maintained for a 10 year period. The records disposed by blending the magnetic tapes or disks.

System manager(s) and address: Director of Personnel and training,

Department of Transportation,
Office of the Secretary,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: The individual may address the Office of Personnel and Training (Director of Personnel and Training), in person or in writing, at the above address.

Record access procedures: Same as 'Notification Procedure'.

Contesting record procedures: Contest of these records will be to the Office of Personnel and Training. If resolution is not satisfactory to the individual, an appeal may be filed with the Secretary of Transportation addressed to the General Counsel as follows:

Department of Transportation,
Office of The Secretary,
Office of the General Counsel,
400 7th Street, SW, Room 10428,
Washington, DC 20590.

Record source categories: Standard Form 50 (Notification of Personnel Action).

Standard Form 52 (Request for Personnel Action).
Standard Form 171 (Personnel QUALIFICATIONS Statement).
Standard Form 1126 (Pay Change Action).
Optional Form 170 (Training) and other internal training forms.
Internal Forms (Minority Identification Record).

DOT/OST 011.

System name: Discrimination Complaint Investigative Files. DOT/OST.

System location: Department of Transportation (DOT),

Office of the Secretary (OST),
Departmental Office of Civil Rights,
Complaints Division,
2100 Second Street, SW, Rm 5300,
Washington, DC 20590.

Categories of individuals covered by the system: Complaints of discrimination by employees of, and applicants to, the Department. Complaints of discrimination by individuals affected by departmental programs for which the Department has compliance responsibility.

Categories of records in the system: Formal complaint.

Personnel record information.
Racial-ethnic data.
Investigative reports.
Affidavits.
Departmental decision.
Hearing transcript, if hearing is held.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Internal Complaints:

Investigation and adjudication of complaint by the Departmental Office of Civil Rights.
Referral to the General Counsel and, upon request, to the appropriate U.S. Attorney's Office, if complainant files suit in court.
Referral to the Civil Service Commission (CSC) if complainant requests a hearing or appeals a Departmental decision.
Referral to the CSC for investigation of complaint.
Information copies to the Civil Rights Office of the employee's administration and to the employee.
External Complaints:
Referral to Office of Federal Contract Compliance (OFCC) of discrimination complaints relating to employment.
Referral to operating administration with compliance responsibility of class-action complaints, for purpose of a compliance review.
Investigation by Departmental Office of Civil Rights personnel of Title VI complaints.
Referral, upon request, to Department of Justice, which has overall program responsibility for Title VI enforcement.
Referral to General Counsel when conciliation fails and sanction action is anticipated.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Alphabetically within operating administration.

Safeguards: Maintained in locked file cabinets in a locked room.

Retention and disposal: Maintained three years, then retired to NARS.

System manager(s) and address: Director of Civil Rights,

Department of Transportation,
Office of the Secretary,
Director of Civil Rights,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Inquiries should be directed to the System Manager.

Record access procedures: Contact System Manager for information on procedures for gaining access to records.

Contesting record procedures: Contact System Manager for information on procedures for contesting records. Appeals should be directed to the Secretary of Transportation, if request for modification or deletion is denied.

Record source categories: Information provided by the complainant.

Personnel files and employment records.
Interviews with witnesses.

DOT/OST 012.

System name: Files Relating to Personnel Hearings. DOT/OST.

System location: Department of Transportation (DOT),

Office of the Secretary (OST),
Office of the General Counsel,
400 7th Street, SW, Room 10424,
Washington, DC 20590.

Categories of individuals covered by the system: Certain employees of the Office of the Secretary who have availed themselves of the opportunity for a hearing in certain personnel matters.

Categories of records in the system: A record of the legal services performed and reference material for future cases.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by agency management in the preparation and conduct of administrative hearings.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders stored in file cabinets (Conserv-a-File).

Retrievability: Indexed individually by name in alphabetical sequence.

Safeguards: Files are kept in the office of the Assistant General Counsel.

Retention and disposal: Retire in 3 years; destroy in 6 years.

System manager(s) and address: Mail Address:

Assistant General Counsel for Environmental, Civil Rights and General Law, C-10,
U.S. Department of Transportation,
Washington, D.C. 20590.
Office Location:
400 7th Street, SW, Room 10424

Notification procedure: Apply to System Manager

Record access procedures: Apply to System Manager

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: Official agency records; hearings; documentary material from outside the agency.

DOT/OST 013.

System name: Employee Management Convenience Files - Office of Inspector General Regional Offices.

System location: Regional Manager,

Office of Inspector General (OIG), DOT-OST,
12 New England Executive Park,
Burlington, MA 01803.
Regional Manager, OIG.
181 South Franklin Avenue,
Valley Stream, NY 11581.
Regional Manager, OIG.
1568 Willingham Drive,
Atlanta, GA 30337.
Regional Manager, OIG.
Suite 710,
300 South Wacker Drive,
Chicago, IL.
Regional Manager, OIG.
Room 10A34,
Federal Office Building,
819 Taylor Street,
Fort Worth, TX 76102.
Regional Manager, OIG.
9150 West Jewell Avenue, Room 105,
Denver, CO 80226.
Regional Manager, OIG.
Suite 214,
1 Embarcadero Center,
San Francisco, CA 94111.
Regional Manager, OIG.
Federal Office Building,
915 Second Avenue,
Room 3198,
Seattle, WA 98174.

Regional Manager, OIG.
601 East 12th Street, Room 113,
Kansas City, MO 64106.

Categories of individuals covered by the system: Present employees.

Categories of records in the system: Performance Evaluation Records, Position Descriptions, SF-171s.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Employment, pay and performance evaluations.

Used by supervisor and administrative personnel in preparation of personnel documents.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Safe and File cabinets.

Retrievability: By name.

Safeguards: Locked safe and files.

Retention and disposal: Retained for current employment. Destroyed by shredding.

System manager(s) and address: Office of Resources Management, JP-30,

Department of Transportation,
Office of the Secretary,
Office of Inspector General,
400 7th Street, SW, Room 9200,
Washington, DC 20590.

Notification procedure: Department of Transportation,

Office of the Secretary,
Office of Inspector General,
Assistant Inspector General for Policy, Planning and Resources, JP-30,
400 7th Street, SW, Room 9200,
Washington, DC 20590.

Record access procedures: Current employees may have access to contents through the System Manager.

Contesting record procedures: Current employees may contest contents through the System Manager.

Record source categories: Subject, supervisor, responsible official, personnel and payroll offices.

DOT/OST 014.

System name: Employment Applications Files. DOT/OST.

System location: The following Secretarial Offices located at:

400 7th Street, SW,
Washington, DC 20590:
Office of the Deputy Secretary, S-2.
Special Assistants to the Secretary, S-3 through S-9.
Office ot the Executive Secretary, S-10.
Contract Appeals Board, S-20.
Office of Civil Rights, S-30.

Categories of individuals covered by the system: Prospective employees.

Categories of records in the system: Resumes, employee applications, samples of work and letters of recommendation and referral. (Note: Not all items are held in all offices.)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Consideration for in-house employment.

Where appropriate, referral to other offices and agencies for consideration of employment.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Filed alphabetically by name, except in the Office of Civil Rights of the Department, where they are filed alphabetically by name within occupational series.

Safeguards: Files are accessible only with the permission of each System Manager.

Retention and disposal: Files are retained as long as position(s) for which individual(s) is (are) being considered remain(s) viable.

System manager(s) and address: Senior official of each office listed.

Notification procedure: Inquiries should be directed to the appropriate System Manager.

Record access procedures: Contact the appropriate System Manager for information on procedures for gaining access to records.

Contesting record procedures: Contact the appropriate System Manager for information on procedures for contesting records. Appeals should be directed to the Secretary of Transportaion, if request for modification or deletion is denied.

Record source categories: Applicant.

Referring individual.
Other agencies, including the Civil Service Commission.
DOT officials.
Office of Personnel Operations.
(Note: Not all sources are used by all offices.)

DOT/OST 015.

System name: Funds Management Records. DOT/RSPA.

System location: Department of Transportation (DOT),

Research and Special Programs Administration,
Office of Emergency Transportation, (OET), (DPB-30),
400 7th Street, SW, Washington, DC 20590.
Regional Emergency Transportation Coordinator (RETCO),
Regions 1 and 2,
c/o Commander 1st Coast Guard District,
150 Causeway Street,
Boston, MA 02114.
RETCO, Region 3,
c/o Federal Highway Administration,
1633 Federal Building,
Baltimore, MD 21201.
RETCO, Region 4,
c/o Federal Aviation Administration,
P.O. Box 20636,
Atlanta, GA 30320.
RETCO, Region 5,
c/o Federal Highway Administration,
18209 Dixie Highway,
Homewood, IL 60430.
RETCO, Region 6,
c/o Federal Aviation Administration,
P.O. Box 1689,
Ft. Worth, TX 76101.
RETCO, Region 7,
c/o Federal Highway Administration,
P.O. Box 19715, Country Club Sta.,
Kansas City, MO 64141.
RETCO, Region 8,
c/o Federal Highway Administration,
Denver Federal Center,
Denver, CO 80225.
RETCO, Region 9,
c/o United States Coast Guard, Commander Pacific Area,
630 Sansome Street,
San Francisco, CA 94126.
RETCO, Region 10,
c/o Commander 13th Coast Guard District,
Federal Building, Room 3588,
915 Second Avenue,
Seattle, WA 98174.
RETCO, Alaska Region,
c/o Federal Aviation Administration,
P.O. Box 14, 701 C Street,
Anchorage, AK 99513.

Categories of individuals covered by the system: Members of the National Defense Executive Reserve (NDER): private citizens; Military members; U.S., State, and local government officials and civil servants, who participate in Fund activities.

Categories of records in the system: Receipt forms by individual name, with dates, amounts of money received, and purpose with vouchers to enter the fund; checks with vouchers in payment of approved invoices; procurement requests for authorized services; invoices for services rendered and correspondence to agencies, firms and individuals pertaining to the above.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Internal management of non-appropriated funds of NDER units, National and Regional, in authorized training activities of those units.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Individual records are maintained in a filing folder appended to numbered vouchers.

Retrievability: Retrieved only by incident or occasion to which voucher pertains.

Safeguards: Maintained in metal file containers or other standard office equipments which are kept in a locked file room.

Retention and disposal: Retained for three years.

System manager(s) and address: Custodian, Organization Fund,
Department of Transportation,
Research and Special Programs Bureau,
Office of Emergency Transportation Unit,
National Defense Executive Reserve,
400 7th Street, SW, Room 8330,
Washington, DC 20590. For each Region the RETCO (Section 02) is manager of the Regional Fund.

Notification procedure: Inquiries may be addressed to any of the offices listed under 'System Locations'. Individuals requesting such information must sign the request personally and include suitable identification. Alternatively personal visits to the above locations with presentation of suitable identification will enable individual to learn of and have access to his or her record.

Record access procedures: Individual may secure or obtain information or procedures for gaining access to records by addressing a written query to the offices cited above or presenting him or herself in person to those offices.

Contesting record procedures: Same as 'Record Access Procedures'.

Record source categories: Data comes from individuals concerned.

DOT/OST 016.

System name: General Investigations Record System. DOT/OST.

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
Office of Investigations and Security (M-50),
400 7th Street, SW,
Washington, DC 20590.

Categories of individuals covered by the system: DOT employees.

Categories of records in the system: Incident reports covering occurrences relating to the security of DOT Incident reports covering occurrences relating to the security of DOT personnel and headquarters buildings.

Authority for maintenance of the system: The information contained in the incident reports is collected and maintained in accordance with the mission and functions of the Office of Investigations and Security for the protection of DOT employees and headquarters buildings.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records may be disseminated to DOT Officials in the administration of their responsibilities.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in case folders in manual filing system.

Retrievability: By name or incident title.

Safeguards: Files are maintained in a cypher-locked room with appropriate access controls. Access to the files is restricted to authorized personnel on a 'need-to-know' basis. with appropriate access controls.

Retention and disposal: Material held indefinitely.

System manager(s) and address: Director, Office of Investigations and Security (M-50),
Department of Transportation,
Office of the Secretary,
400 7th Street, SW, Room 10401,
Washington, DC 20590.

Notification procedure: Same as 'System Manager'.

Record access procedures: Same as 'System Manager'.

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: These records contain information obtained from interviews, review of records and other authorized techniques.

Systems exempted from certain provisions of the act:

DOT/OST 018.

System name: Identification Media Record Systems. DOT/OST.

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
Office of Investigations and Security, M-50,
400 7th Street, SW,
Washington, DC 20590.
Commandant (GOIS),
U.S. Coast Guard Headquarters,
Washington, D.C. 20590; and each District Office.
Federal Aviation Administration,
Office of Investigations and Security,
800 Independence Avenue, SW,
Washington, D.C. 20591; and FAA Regional and Center Air Transportation Security Divisions.
Federal Highway Administration,
Operations and Services Division,
400 7th Street, SW,
Washington, DC 20590; and all FHWA Regional Offices.

Categories of individuals covered by the system: Present employees, contractor employees, and National Defense Executive Reservists in the Office of the Secretary, U.S. Coast Guard, Federal Aviation Administration, Federal Highway Administration, Federal Railroad Railroad Administration, National Highway Traffic Safety Administration, Urban Mass Transportation Administration, St. Lawrence Seaway Development Corporation, and Research and Special Programs Administration.

Categories of records in the system: Applications, photographs, receipts for DOT identification cards, and official credentials; special facilities passes, including Federal Preparedness Agency passes; temporary building passes; and application for Civil Defense Emergency Assignee cards or other passes needed for official duties.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are maintained for control and accountability of DOT identification cards, credentials, and Civil Defense Emergency Assignee cards issued to DOT Civilian employees, contractor employees and executive reservists for identification purposes and admittance to the DOT facilities or for other official duties.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Alphabetically filed card forms in manual filing system.

Retrievability: By name.

Safeguards: Application cards stored in locked drawers and/or in a locked room with limited access.

Retention and disposal: Applications, including photographs and identification media, are destroyed upon termination of employment.

System manager(s) and address: Director of Investigations and Security, M-50,
Department of Transportation,
Office of the Secretary,
400 7th Street, SW, Room 10401,
Washington, DC 20590.
For USCG: Commandant (GOIS),
U.S. Coast Guard Headquarters,
Washington, DC 20590.
For FAA: Director, Office of Investigations and Security,
Federal Aviation Administration,
800 Independence Avenue, SW,
Washington, DC 20591.
For FHWA: Chief, Operations and Services Division,
Federal Highway Administration,
400 7th Street, SW,
Washington, DC 20590.
All FHWA Regional Offices

Notification procedure: Same as 'System Manager'.

Record access procedures: Same as 'System Manager'.

Contesting record procedures: Same as 'System Manager'.

Record source categories: Individual on whom the record is maintained.

DOT/OST 019.

System name: Individual Personal Interests in Intellectual Property. DOT/OST.

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
Office of the General Counsel,
400 7th Street, SW, Room 10424,
Washington, DC 20590.

Categories of individuals covered by the system: Inventors employed by or having contractual relationships with the Department of Transportation and other Government agencies.

Categories of records in the system: Invention disclosures, Government Patents Branch cases, patent applications, issued patents, and license agreement files.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Patent Counsel and his staff as a record of determination of rights in inventions, determination of novelty and patentability, determination of patent coverage, and allocation of rights in issued patents.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders stored in file cabinets.

Retrievability: Indexed individually by name in alphabetical sequence.

Safeguards: Records are disclosed only to individuals who have legal interest in the records or legal 'need to know.'

Retention and disposal: Transfer to Federal Records Center two years after close of file; destroy 25 years after close of file.

System manager(s) and address: Mail Address:

Patent Counsel, C-15,
U.S. Department of Transportation,
Washington, D.C. 20590.
Office Location:
400 7th Street, SW, Room 10424.

Notification procedure: Apply to System Manager.

Record access procedures: Apply to System Manager.

Contesting record procedures: Same as 'Record Access Procedures'.

Record source categories: Individual inventors, technical evaluators, and United States Patent and Trademark Office.

DOT/OST 022.

System name: National Defense Executive Reserve (NDER) File. DOT/RSPA.

System location: Office of Emergency Transportation (OET) (DPB-30).

Department of Transportation,
400 7th Street, SW,
Washington, D.C. 20590.
Some records are held only in the Office of Emergency Transportation while others are held at various locations in the custody of officials in the several regions, as indicated in the paragraph labeled 'Categories of Records' below. Holdings of the Regional Directors-designate and Deputy Directors-designate are partial duplications of the Regional Emergency Transportation Coordinator(RETCO) files and may be accessed through the applicable RETCO. The RETCO and the Regional Emergency Transportation Representative(RETREP) for each region may be contacted directly at the addresses shown below. The Regional Director-designate and Deputy Director-designate for each region may be contacted by addressing mail in care of the RETCO for that region at the address shown in the following list:

Regions 1 and 2,
150 Causeway Street,
Boston, MA 02114.
Region 3,
1633 Federal Building,
Baltimore, MD 21201.
Region 4,
P.O. BOx 20636,
Atlanta, GA 30320.
Region 5,
18209 Dixie Highway,
Homewood, IL 60430.
Region 6,
P.O. Box 1689,
Ft. Worth, TX 76101.
Region 7,
P.O. Box 19715,
Country Club Sta.,
Kansas City, MO 64141.
Region 8,
Denver Federal Center,
Denver, CO 80225.
Region 9,
630 Sansome Street,
San Francisco, CA 94126.
Region 10,
Federal Bldg.,
Rm. 3588,
915 Second Ave.,
Seattle, WA 98174.
Alaska Region,
P.O. Box 14, 701 C Street,
Anchorage, AK 99513.
Emergency Facilities Liaison Officer,
FAA Records Center,
West King Street and South Maple Avenue,
Martinsburg, WV 25401.

Categories of individuals covered by the system: Upper, middle, and lower management members of the transportation industry, university professors, lawyers, labor leaders, and businessmen who are candidates for membership in NDER, active members of NDER, or who are former members whose membership has been terminated by death, resignation or involuntary release, and emeritus members.

Categories of records in the system: Personnel and security forms completed by individuals consisting of applications, statements of understanding by employers, security and identifcation data from individuals, certificates of appointment and reappointmen (located at DOT/RSPA/OET and RETCOs only); names and addresses of individuals for directory (maintained at DOT/RSPA/OET only); name and address card file (maintained at DOT/OST/OET only); card file with name, date of appointment and date of reappointment (in OET only); lists of reservists in process including active and Emeritus members and former members showing steps in process, numerical sequence, unit assignment, name date of designation, state of residence, date of separation and reason (in OET only); contact file of those previously nominated but not appointed, or once in program but not no longer members, with date and reason for non-affiliation (in OET only); personal data sheet for each individual which presents summary of pertinent data including photograph to assist professional staff in evaluating the member and assigning member on appointment and reappointment or during active membership (this record held at all locations).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Internal personnel management of the NDER for the Department of Transportation, which includes staff action and exchange of data with the Office of the Director, Federal Emergency Management Agency, which is responsible for the entire National Defense Executive Reserve Program. Available to the Secretary, any Secretarial Officer, head of an operating administration, or their designated subordinates who require access in the pursuit of their duties. Available to director and staff members of OET, to RETCO's and their staff members, to Regional Directors-designate and Deputies and the Emergency Facilities Liaison Officer, FAA Records Center (for storage purposes only) who require access in pursuit of their duties.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Individual records are maintained in a manual system in a locked file room consisting of a filing jacket with the individual's name tabbed and containing all papers pertaining to him or her, except the following which are maintained as stated.

Directory - stored in bulk in steel containers.
Mailing List - maintained in standard card file.
Chronological File - maintained in standard card file.
Contact File - maintained in standard card file.
Personal Data Sheets - maintained in separate loose leaf note books or in personnel jackets at option of holder.

Retrievability: Indexed alphabetically by name. Retrieved manually.

Safeguards: Maintained in metal file containers or other standard office equipment.

Retention and disposal: Held for five years from date of separation and then destroyed.

System manager(s) and address: Director of Emergency Transportation, Research and Special Programs Administration (DPB-30), Department of Transportation (Room 8330), Washington, D.C. 20590.

Notification procedure: Inquiries may be addressed to any of the offices and officials listed under 'System Locations'. Individuals requesting such information must sign the request personally and include in the text of the request suitable identification. Alternatively, personal visits to the above locations with presentation of suitable identification will enable individual to learn of and have access to his or her record.

Record access procedures: Individual may secure or obtain information on procedures for gaining access to records by (1) referral to the information sheet issued to him or (2) addressing a written query to the offices cited under 'System Location' above (except the Emergency Facilities Liaison Officer, FAA Records Center, West King Street and South Maple Avenue, Martinsburg, WV 25401, which maintains duplicate files in storage only) or (3) presenting himself or herself in person to those offices.

Contesting record procedures: Same as 'Record Access Procedures'.

Record source categories: Personal data submitted by the individual; data from his or her employer; recommendations from colleagues; mailing data from existing distribution system.

DOT/OST 024.

System name: Parking Permit Application File, and Vanpooling Application Files, DOT/OST.

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
Parking Management Office, M-444.3,
400 7th Street, SW, Room 2322,
Washington, DC 20590.
Federal Highway Administration,
Ridesharing Branch, HHP-33,
400 7th Street, S.W., Room 3311
Washington, DC 20590.

Categories of individuals covered by the system: DOT parking permit holders (Washington, DC), DOT carpool members and DOT van pooling applicants.

Categories of records in the system: Parking permit application forms and van pool application forms.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Determine criteria for permit issuance, record change data, record garage violations and periodic review and revalidation. Used by parking management office personnel only.

See Prefatory Statement of General Routine Uses.
Vanpooling applicants are matched up as to area and work hours and records of van pools are maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in lockable visible edge file in a security locked workroom.

Retrievability: Indexed sequentially by permit number; vanpool applications are alphabetical by name and organized for retrieval by 'home-cell' numbers for areas.

Safeguards: Only Parking Management Office personnel have access to these records; for van pools only Public Transportation Management Office personnel have access to applications.

Retention and disposal: Record cards are retained for 3 years locally, sent to the Federal Records Center for 2 more years, and then destroyed.

System manager(s) and address: For Parking Permit File:
Chief, Transportation Branch, M-444,
Department of Transportation,
Office of the Secretary,
Office of Administration Operations,
400 7th Street, SW, Room 2318,
Washington, DC 20590.
For Van Pooling Application File:
Chief, Ride Sharing Branch, HHP-33,
Federal Highway Administration,
400 7th Street, S.W., Room 3311
Washington, DC 20590.

Notification procedure: Individual may review only his own application card upon presentation of valid DOT ID card at the addresses given under 'System Location'.

Record access procedures: Same as Notification Procedure.

Contesting record procedures: No contest - individual can change recorded data at will.

Record source categories: Submitted by individual.

DOT/OST 025.

System name: Parking Permit Management System. DOT/OST.

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
Parking Management Office, M-444.3,
400 7th Street, SW, Room 2322,
Washington, DC 20590.

Categories of individuals covered by the system: DOT parking permit holders (Washington Headquarters) and DOT car pool members (Washington Headquarters).

Categories of records in the system: Status record (of permits) and member record (of carpools).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records used for ADP report and listing production.
Listings are used by the parking vendor for billings and Parking Mangement Office for system administration.
Additionally, a carpool location listing is produced for use in forming and enlarging carpools. This is for use by the general public.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Parking Management office personnel enter data password control.

Retrievability: Indexed sequentially by permit number.

Safeguards: Only Parking Mangement Office personnel and the parking vendor have access to general listings. The carpool location listing is for use by the general public, but is secured in the parking office.

Retention and disposal: Data is deleted and not retained on ADP once individual leaves system. Record copies of monthly reports and listings are retained locally for 3 years, forwarded to the Federal Records Center for 2 more years and then destroyed.

System manager(s) and address: Chief Transportation Branch, M-444, Department of Transportation,
Office of the Secretary,
400 7th Street, SW, Room 2318,
Washington, DC 20590.

Notification procedure: Individual may review data upon presentation of valid DOT ID card.

Record access procedures: Same as Notification Procedure.

Contesting record procedures: No contest - individual can change data at will.

Record source categories: Only source is from parking permit application.

DOT/OST 026.

System name: Payroll Management System. DOT/OST.

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
Accounting Operations Division, M-45,
400 7th Street SW, Room 2228,
Washington, DC 20590.

Categories of individuals covered by the system: Office of the Secretary

Categories of records in the system: Gross to net payroll.

Payroll master.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Support for payment of payroll.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: ADP listing.

Retrievability: Alpha-numeric by employee.

Safeguards: People given access are screened by responsible management personnel.

Retention and disposal: Federal records retention schedule.

Retained for 1 year - destroyed.

System manager(s) and address: Chief, Accounting Operations Division, M-45, Department of Transportation,
Office of the Secretary,
Accounting Operations Division, M-45,
400 7th Street, SW, Room 2228,
Washington, DC 20590.

Notification procedure: Department of Transportation,
Office of the Secretary,
Accounting Operations Division, M-45,

400 7th Street, SW, Room 2228,
Washington, DC 20590.

Record access procedures: Same as 'Notification Procedure'.

Contesting record procedures: Same address as 'Notification Procedure'.

Record source categories: Time and attendance records.
Personnel actions (SF So)

DOT/OST 028.

System name: Personnel Convenience Files. DOT/OST.

System location: The following Secretarial Offices located at the
Department of Transportation (DOT),
Office of the Secretary (OST),
400 7th Street, SW,
Washington, DC 20590:
Immediate Office of the Secretary, S-1.
Office of the Deputy Secretary, S-2.
Special Assistants to the Secretary, S-3 through S-9.
Executive Secretary, S-10.
Contract Appeals Board, S-20.
Departmental Office of Civil Rights (except for the Complaints Division), S-30.
White House Fellow, S-9.
Additionally:
Departmental Office of Civil Rights,
Complaints Division, S-35,
2100 2nd Street, SW,
Washington, DC 20590.

Categories of individuals covered by the system: Employees, past and present.

Categories of records in the system: The following documents are kept in all offices:
Copies of orders, vouchers, and related documentation for local and non-local travel. Copies of some of the following documents are kept in all offices: except the Immediate Office of the Secretary and the Offices of the Deputy Secretary, Deputy Under Secretary, the White House Fellow and Special Assistants to the Secretary, for whom such documents are maintained by the Office of the Executive Secretary:
Standard Form 52, Request for Personnel Action.
Standard Form 7-B, Employee Record
Position Descriptions.
Performance evaluations.
Training records.
Payroll and leave records.
Commendations and awards.
Savings Bond and CFC campaign records.
Security classification documents.
Monthly Personnel Roster.
Savings Bond and CFC campaign records are maintained for reference in connection with future campaigns.
All other records are maintained for effective budgetary, manpower, and employee management and also for the use of the individual (not all items and not in all offices).
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Hard copy in file folders and binders.

Retrievability: By name.

Safeguards: Data available only by request of the senior official, his deputy, or secretaries to them, of the office or division in which the information is maintained. Provided only on a need-to-know basis.

Retention and disposal: Personnel records are retained until employee leaves.
Payroll records are retained three years.
Travel records normally retained at least one year.
Records are disposed of following minimal period of retention on a space-needed basis.

System manager(s) and address: Senior official of each office listed.

Notification procedure: Inquiries should be directed to the employee's supervisor.

Record access procedures: Contact supervisor for information on procedures for gaining access to records.

Contesting record procedures: Contact supervisor for information on procedures for contesting records.
Appeals should be directed to the Secretary of Transportation, if request for modification or deletion is denied by the senior official of the employee's office.
Further appeal, if necessary, should be to the Secretary of Transportation.

Record source categories: Information provided by the employee.
Informational copies provided by Personnel Operations Division.
Material generated within the employing office.

DOT/OST 030.

System name: Personnel Management Files. DOT/OST.

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
Office of the Assistant Secretary for Policy, Plans and International Affairs,
400 7th Street, SW,
Washington, DC 20590

Categories of individuals covered by the system: Current employees.
Prospective employees.
Prior employees - three years (payroll/time cards only).

Categories of records in the system: Basic recruitment, employment, status and pay records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Employment, pay and performance decisions.
Use by subject, supervisor, responsible official; administrative personnel in preparation; personnel and payroll offices in processing.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Copies of basic documents.

Retrievability: By name.

Safeguards: Locked files with personnel screening for access.

Retention and disposal: Retained only for control purposes, pending official action by Personnel or Payroll offices or management officials.
Pay records are retained for 3 years, then destroyed by burning or shredding.

System manager(s) and address: Assistant Secretary for Policy, Plans and International Affairs (TPI1), and the Directors of the following subordinate offices for records maintained in their respective offices:
Transportation Systems Analysis and Information,
Transportation Planning,
Transportation Economic Analysis,
International Transportation Programs,
Transportation Energy Policy,
Air Transportation Policy,
Transportation Regulatory Policy, all of which are located at the:
Department of Transportation,
Office of the Secretary,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Inquiries: Oral request by current employees to the System Manager. Written or direct inquiry by prior employees or applicants to:
Department of Transportation,
Office of the Secretary,
Director Management Staff, TPI-5,
400 7th Street, SW,
Washington, DC 20590.
Must provide notarized signature or social security number.

Record access procedures: Current employees may have access to contents through the System Manager.
For all other inquiries - Office Director, TPI-5 at the address under Notification Procedure.

Contesting record procedures: Present employees may request changes through the System Manager, as above. If request denied, may refer to TPI Review Officer, TPI 5, then to OST Review Officer. For all other inquiries - Office Director, TPI-5.

Record source categories: Subject, supervisor, responsible official, personnel and payroll offices.

DOT/OST 032.

System name: Management Operating Record System. DOT/OST.

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
Office of Investigations and Security, M-50,
400 7th Street,SW, Room 10401,
Washington, DC 20590.

Categories of individuals covered by the system: Current employees of the Office of Investigations and Security, OST, DOT.

Categories of records in the system: This system of records contains current employee Time and Attendance Cards, Travel Orders and Vouchers and Position Descriptions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system of records is maintained for internal administrative management and operating purposes by the M-50 Office Director and Division Chiefs.

Time and Attendance Cards are maintained for M-50 employees pay purposes and are forwarded to the Payroll Office.
Travel Orders are maintained for M-50 employees authorized to travel on DOT business and are forwarded to Travel Office and the Accounting Office to arrange necessary transportation and payment of expenses.
Travel Vouchers are maintained on M-50 employees to provide an ongoing tabulation of the Office's travel expenses.
Position Descriptions are maintained for positions within M-50 and are utilized internally by the Director and Division Chiefs for reference and to assure effective employee utilization.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Standard forms in individual folders in manual filing system.

Retrievability: By employee name.

Safeguards: This system of records is stored in a locked room with limited access.

Retention and disposal: Records are maintained while an individual is an employee of the Office of Investigations and Security and are destroyed upon transfer or termination.

System manager(s) and address: Director of Investigations and Security, M-50,
Department of Transportation,
400 7th Street, SW, Room 10401,
Washington, DC 20590.

Notification procedure: Same as 'System Manager'.

Record access procedures: Same as 'System Manager'.

Contesting record procedures: Same as 'System Manager'.

Record source categories: Employee and office generated statements and forms.

DOT/OST 034.

System name: Personnel Records. DOT/OST.

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
Office of the General Counsel,
400 7th Street, SW, Room 10428,
Washington, DC 20590.

Categories of individuals covered by the system: Attorney and Clerical Employees of the Office of the General Counsel.

Categories of records in the system: Standard Form 52.
Within Grade Increases.
Travel Authority and Vouchers.
Training Records.
Payroll and Leave Records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For the individual's use.
Schedule training.
Statistics to recommend personnel actions.
Administrative reference material.
Budgetary information material.
Technical information material.
Work Territory assignments.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File cards in a locked safe.

Retrievability: Individual names filed alphabetically.

Safeguards: Physical security consists of filing records in a locked safe.

Retention and disposal: Personnel records retained in active files duration of appointment, then destroyed.

System manager(s) and address: Mail Address:
Deputy General Counsel, C-2,
U.S. Department of Transportation,
Washington, D.C. 20590.
Office Location:
400 7th Street, SW, Room 10428.

Notification procedure: Contact System Manager.

Record access procedures: Contact System Manager.

Contesting record procedures: Contact System Manager.

Record source categories: Informational copies provided by the Office of Personnel & Training.

DOT/OST 035.

System name: Personnel Security Record System. DOT/OST.

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
Office of Investigations and Security, M-50,
400 7th Street, SW,
Washington, DC 20590.

Categories of individuals covered by the system: DOT applicants, employees, former employees; candidates and designees to the DOT unit of the National Defense Executive Reserve, and detailees to DOT from other Federal agencies.

Categories of records in the system: Records of personnel security processing, personal data on investigative and employment forms completed by the individual, reports of investigations, records of security and suitability determinations, records of access authorizations granted, documentation of security briefings/debriefings received, record of security violations by the individual.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Departmental personnel security officers for making security determinations and granting access authorizations, by Departmental personnel management officials for making suitability determinations, by representatives of other Federal agencies with which the individual is seeking employment, and by Federal agencies conducting official inquiries to the extent that the information is relevant and necessary to the requesting agency's inquiry, and by Departmental officials, to the extent necessary, to identify the individual to sources from whom information is requested for any of the foregoing purposes to inform the source of the nature and purpose of the request and to indicate the type of information requested.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Completed forms and typed pages in individual folders in a manual filing system, and on a manual system control cards.

Retrievability: By name.

Safeguards: Stored in locked room with proprietary lock or in approved security safe. Access limited to authorized staff members.

Retention and disposal: Retained during employment in the Department, retained in accordance with GSA Records Schedule #18 after employment is terminated, authorized destruction done by secure means used for classified materials.

System manager(s) and address: Director of Investigations and Security, M-50,
Department of Transportation,
Office of the Secretary,
400 7th Street, SW, Room 10401,
Washington, DC 20590.

Notification procedure: Same as System Manager.

Record access procedures: Same as System Manager. However, information compiled solely for the purpose of determining suitability, elgibility, or qualification for Federal civilian employment or access to classified information may be exempted from the access provisions pursuant to 5 USC 552a(k)(5).

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: Investigative sources contacted in full field, National Agency Check and Written Inquiry and similar investigations; investigative reports reviewed at other Government agencies; personal history statements, employment applications and other data provided by the individual and/or other agencies.

Systems exempted from certain provisions of the act: Information compiled solely for the purpose of determining suitability, eligibility, or qualification for federal civilian employment or access to classified

information may be exempted from the access provisions pursuant to 5 USC 552a(k)(1) and/or(5).

DOT/OST 037.

System name: Records of Confirmation Proceeding Requirements for Proposed Executive Appointments to the Department of Transportation. DOT/OST.

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
Office of the Assistant General Counsel for Environmental, Civil Rights and General Law,
400 7th Street, SW, Room 10424,
Washington, DC 20590.

Categories of individuals covered by the system: Individuals nominated for top executive positions of the Department of Transportation.

Categories of records in the system: Financial data and biographical data.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Data submitted to the General Counsel as reviewing official by subject individual for use by the Senate Commerce Committee to determine if there would be a conflict of interest, or the appearance of a conflict of interest, in subject's appointment to the Department of Transportation.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Legal sized documents located in locked safe.

Retrievability: Individual names filed alphabetically.

Safeguards: Physical security consists of filing records in safe; data released to Senate Commerce Committee and authorized officials only of the Department.

Retention and disposal: Records are retained for 3 years then destroyed.

System manager(s) and address: Mail Address:
Deputy General Counsel, C-2,
U.S. Department of Transportation,
Washington, DC 20590.
Office Location:
400 7th Street, SW, Room 10428.

Notification procedure: Inquiries may be addressed to the Deputy General Counsel at the address above, either in person or in writing. If written the individual must provide a notarized signature.

Record access procedures: Access to records requires the individual to contact in person or write the Deputy General Counsel.

Contesting record procedures: Contest of a record is also through the Deputy General Counsel.

Record source categories: Documents are provided by subject individual.

DOT/OST 039.

System name: Safety Management Information System (SMIS).DOT/OST.

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
Transportation Computer Center,
Department of Transportation (DOT),
400 7th Street, SW, Room 2401,
Washington, DC 20590.

Categories of individuals covered by the system: Federal Civilian/Military Employees of the Department of Transportation:
Contractors working on DOT premises;
DOT Real & Personal Property.

Categories of records in the system: Accident Reporting Records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Issue automated records to the U.S. Dept. of Labor, OSHA.
Submit quarterly accident statistics data to DOT operating administrations.
Develops statistical summaries & special analysis listings for use in programming safety management functions, departmental level budget function as it relates to OWCP, and maintains 5 year OSHA requirement for accident record retention.
See Prefatory Satement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic Tapes and Disks.

Retrievability: Name/Social Security Number/Accident Report Number/Special Project Data Programming.

Safeguards: Transportation Computer Center maintains both physical security and personnel security. Retrieve/access procedures. The records are disposed of by blanking/erasing the magnetic tape or disk.

Retention and disposal: Kept 5 years then destroyed.

System manager(s) and address: Director of Personnel and Training, TAD-10,
Department of Transportation,
Office of the Secretary,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Quarterly management analysis delivered to safety managers or all operative administrators. Special data may be provided by request in written form to:
Director TAD 10,
Office of Personnel & Training,
at the above address.

Record access procedures: An individual may gain access to his record by request to the System Manager.

Contesting record procedures: Contest of these records will be to the Office of Personnel and Training. If resolution is not satisfactory to the individual, an appeal may be filed with Secretary of Trasnportation addressed to the General Counsel as follows:
Department of Transportation,
Office of the Secretary,
Office of the General Counsel,
400 7th Street, SW, Room 10428,
Washington, DC 20590.

Record source categories: DOT Form 3902.1,
DOT Form 3902.2,
DOT Form 3902.3,
DOT Form 3902.4,
DOT Form 3902.5,
DOT Form 3902.6,
DOT Form 3902.7,
DOT Form 3902.8.

DOT/OST 040.

System name: Security Management Records. DOT/RSPA.

System location: Department of Transportation (DOT),
Research and Special Programs Administration (RSPA),
Office of Emergency Transportation (OET),
400 7th Street, SW, Room 8330,
Washington, DC 20590.

Categories of individuals covered by the system: All members of OET.

Categories of records in the system: Jacket file of all security clearance records of all personnel.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Management by Director OET and Security Officer of security classification levels required by missions and functions of OET.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in single folder with all pertinent items included alphabetically.

Retrievability: Alphabetically by name.

Safeguards: Restricted to use by Director of Emergency Transportation and the OET Security Officer. File maintained in a locked 3-combination safe.

Retention and disposal: Retained during period of employment. Transferred with the individual or returned to Security Office of OST.

System manager(s) and address: Director of Emergency Transportation,
Department of Transportation,
Research and Special Programs Administration (DPB-30),
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Inquiries may be addressed to the office listed under 'System Location'. Individuals requesting such information must sign the request personally. Alternatively, personal visits to the above location with presentation of necessary identification will enable individual to have access to his record.

Record access procedures: Individual may secure information on procedures for gaining access to records by (1) addressing a written query to the office cited under System Location above or (2) presenting himself in person to that office.

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: Data from individual, and from Director of Investigations and Security, Department of Transportation.

DOT/OST 041.

System name: Secretariat Information Retrieval System (SIRS). DOT/OST.

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
Office of the Executive Secretary,
400 7th Street, SW,
Washington, DC 20590.

Categories of individuals covered by the system: Individuals who write, or are referred in writing by a second party,to the Secretary, Deputy Secretary, Deputy Under Secretary, and their immediate offices.

Individuals who are the subject of an action requiring approval or action by one of the forenamed, such as appeal actions, training, awards, foreign travel, promotions, selections, grievances, and discipline.

Categories of records in the system: Correspondence submitted by, or on behalf of, an individual, including resumes, letters of reference, etc.

Responses to such correspondence.
Staff recommendations on actions requiring approval or action by one of the forenamed.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to the appropriate action office within or outside the Department for preparation of a response.

Referral to the appropriate agency for actions involving matters of law or regulation beyond the responsibility of the Department, such as the Civil Service Commission for employee appeals, the Department of Justice in matters of law enforcement, etc.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer microdisc and - selectively - on microfilm for all records since 1/1/74.

In hard copy for all records prior to 1/1/74.

Retrievability: Indexed by name of correspondent, referring individual, and subject category (e.g., 'employment' for applicants) from 1/1/74 on.

Indexed by name of correspondent prior to 1/1/74.

Safeguards: Computer microfilm records, and remote reader terminals, which permit random access to the system records, are locked after office hours.

During office hours computer is accessible only through terminals operated by, and under the surveillance of, authorized employees of the Executive Secretary.

Retention and disposal: Hard-copy records for 1967-1969 and duplicate microfilms for 1974-1975 are in the custody of National Archives and Records Service (NARS).

Records from 1970 and following are retained in the Departmental headquarters building.
Records are retired to NARS on a space-needed basis.

System manager(s) and address: The Executive Secretary at the address above.

Notification procedure: Inquiries should be directed to the System Manager. Helpful information, in addition to the individual's name, includes date(s), subject matter, and addressee(s) of the incoming correspondence, and date(s) and author(s) of the response(s).

Record access procedures: Contact System Manager for information on procedures for gaining access to records.

Contesting record procedures: Contact System Manager for information on procedures for contesting records. Appeals should be directed to the Secretary of Transportation, if request for modification or deletion is denied.

Record source categories: Correspondence from individual, his representative or sponsor.

Responses to incoming correspondence.
Related material provided for background as appropriate.

DOT/OST 042.

System name: Technical Pipeline Safety Committee. DOT/OST.

System location: Department of Transportarion (DOT),
Office of the Secretary (OST),
Materials Transportation Bureau (MTB),
2100 Second Street, SW, Room 6226,
Washington,DC 20590.

Categories of individuals covered by the system: Members of Technical Pipeline Safety Standards Committee- intermittent consultants.

Categories of records in the system: Biographical data in support of member's nomination.

Letters and news releases for member's appointment/reappointment.
Personnel Actions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: General reference purposes for support functions.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders.

Retrievability: Alphabetically by name within subject area.

Safeguards: Room locked after hours, most information is public knowledge.

Retention and disposal: Kept indefinitely.

Director of Pipeline Safety Operations, MTP-1,
Department of Transportation,
Materials Transportation Bureau,
2100 Second Street, SW,
Washington, DC 20590.

Address inquiries to System Manager including individual/s name.

Information may be obtained from the System Manager.

Same as for Access above.

Personnel Action (SF 50).
Travel Vouchers (SF 1012).
Certificate of Consultant's Services.
Press Releases.
Administrative Correspondence/Memorandums.

DOT/OST 043.

Telephone Directory and Locator System. DOT/OST.

Opportunity Systems, Inc. (OSI),
1330 Massachusetts Avenue, NW,
Washington, DC 20005.

Department of Transportation (DOT) headquarters employees.

Alphabetic Employee Master Records and GSA Metrocentrex Locator Records.

Departmental Alphabetic Directory production,
DOT Mail Room,
DOT Locator Service, and
GSA Metrocentrex Locator Service.
Used by DOT Telephone Directory Representatives, DOT Mail room, and Publishing and Graphics Division Control Clerk.
See Prefatory Statement of General Routine Uses.

Storage: Magnetic tape storage via batch processing. Source data returned to DOT.

Retrievability: Can retrieve on social security number or on name.

Safeguards: Only DOT & OSI personnel have access to tapes.

Retention and disposal: Tapes are retained through three (3) cycles, grandfather, father, son, and then scratched. Source materials are retained until the next update is completed.

System manager(s) and address: Chief, Publishing and Graphics Division, M-48,

Department of Transportation,
Office of the Secretary,
Office of Administrative Services,
400 7th Street, SW, Room 2317,
Washington, DC 20590.

Notification procedure: Contact Publishing and Graphics Division at the address above.

Record access procedures: Contact Publishing & Graphics Division, M-48 at the address above.

Individual may review own data upon presentation of valid DOT ID card.

Contesting record procedures: Individual may change own data at any time.

Record source categories: DOT F 1700.1 - DOT Form prepared for each employee.

DOT/OST 044.

System name: Travel and Transportation Management File. DOT/OST.

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
Accounting Operations Division, M-45,
400 7th Street, SW, Room 2228,
Washington, DC 20590.

Categories of individuals covered by the system: All travelers visits using OST travel funds.

Categories of records in the system: Travel Vouchers.
Travel Authorizations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Subsidiary Accounting Records.
Records used by:
Accounting Operations Division employees.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Open files.

Retrievability: Alphabetically by employee name.

Safeguards: Persons given access are screened by responsible management personnel.

Retention and disposal: Destroy after 4 years.

System manager(s) and address: Chief, Accounting Operations Division, M-45,
Department of Transportation,
Office of the Secretary,
400 7th Street, SW, Room 2228,
Washington, DC 20590.

Notification procedure: Department of Transportation,
Office of the Secretary,
Accounting Operations Division, M-45,
400 7th Street, SW, Room 2228,
Washington, DC 20590.

Record access procedures: Same as 'Notification Procedure'.

Contesting record procedures: Same as 'Notification Procedure'.

Record source categories: Program Offices.

DOT/OST 045.

System name: Unsolicited Contract or Research and Development Proposals Embodying Claims of Proprietary Rights. DOT/OST.

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
Office of the General Counsel,
400 7th Street, SW, Room 10424,
Washington, DC 20590.

Categories of individuals covered by the system: Individuals who believe they have original and innovative ideas in the field of transportation.

Categories of records in the system: Copies of descriptions of proposed innovations or inventions and methods of carrying out the proposal. Evaluations by Patent Counsel of the adequacy and propriety of restrictive markings on the proposals and correspondence of the Patent Counsel pertaining thereto.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a record of Patent Counsel's action in individual unsolicited proposal cases.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders stored in file cabinets (Conserv-a-File).

Retrievability: Indexed individually by name and subject in alphabetical sequence.

Safeguards: Records are disclosed only in accordance with the terms of restrictive markings agreed upon between submitter and DOT.

Retention and disposal: Transfer to storage when three years old; Destroy after six years.

System manager(s) and address: Mail Address:
Patent Counsel, C-15,
U.S. Department of Transportation,
Washington, D.C. 20590.
Office Location:
400 7th Street, SW, Room 10424.

Notification procedure: Apply to System Manager.

Record access procedures: Apply to System Manager.

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: Forwarded by individual or by the DOT office to whom unsolicited proposal was addressed.

DOT/OST 046.

System name: Visit Control Records System. DOT/OST.

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
Office of Investigations and Security, M-50,
400 7th Street, SW, Room 10401,
Washington, DC 20590.

Categories of individuals covered by the system: DOT employees, Industrial Security contractor employees, non-employee visitors to DOT facilities during security hours.

Categories of records in the system: Record of clearance certification (level, date granted and basis) on employees to visit facilities or attend meetings involving classified information. Record of security clearance data for visitors to DOT facility from other agencies and from contractors. Record of individuals other than employees who are authorized access to DOT facilities during security hours.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Confirming to the proper authorities the security clearance for individuals requiring access to classified information; identifying individuals authorized to be present in DOT facilities during security hours.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Visitor forms and letters.

Retrievability: By name.

Safeguards: Stored in locked room with proprietary cipher lock, available only to authorized staff members.

Retention and disposal: Maintained until expiration of visit, then destroyed.

System manager(s) and address: Director of Investigations and Security, M-50,
Department of Transportation,
Office of the Secretary,
400 7th Street, SW, Room 10401,
Washington, DC 20590.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Security clearance information furnished by personnel security officers. Visit data furnished by individual.

DOT/OST 048.

System name: Transportation Research Activities Information Service (TRAIS).DOT/OST.

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
Transportation Systems Center (TSC),
Kendall Square,
Cambridge, MA 02142.

Categories of individuals covered by the system: Program/Project Managers and research investigators.

Categories of records in the system: Notification of Technical Research and Development.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information on on-going and completed research and development accomplishments.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer disc storage and magnetic tape.

Retrievability: Retrievable by keywords and unique accession number assigned by Data Base Administrator; batch process or on-line interaction.

Safeguards: Physical security - user identification and passwords.

Retention and disposal: Up to three-year retention and then tape is reused which destroys previous data.

System manager(s) and address: Chief, Transprotation Research Activity Information Services Branch, TST-25.1,

Department of Transportation,
Office of the Secretary,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Same as System Manager.

Record access procedures: Same as System Manager.

Contesting record procedures: Same as System Manager.

Record source categories: Contract Awards from Contracting Offices, Publication of Technical Report.

DOT/OST 049.

System name: Transportation Research Information Service on line (TRIS-On-Line).DOT/OST.

System location: Department of Transportation (DOT),

Office of the Secretary (OST),
System physically located at the:
Battelle Laboratories,
Columbus, OH

Categories of individuals covered by the system: Program/Project Managers and authors of reports.

Categories of records in the system: Notification of Technical Research and technical reports.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information on on-going and completed research and development accomplishments.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer disc storage and magnetic tape.

Retrievability: Retrievable by keywords and accession number assigned by Data Base Administrator, batch or on-line interaction.

Safeguards: Physical security - User identification keywords and passwords.

Retention and disposal: Up to five year accessibility, tape goes to archival storage.

System manager(s) and address: Chief, Transportation Research Information Services Branch, TST-25.1,

Department of Transportation,
Office of the Secretary,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Same as System Manager.

Record access procedures: Same as System Manager.

Contesting record procedures: Same as System Manager.

Record source categories: Contract awards received from Contracting Offices, Publication of Technical Reports.

DOT/OST 050.

System name: Emergency Alerting Schedules. DOT/RSPA.

System location: These records are located in the national headquarters of the Offices of the Secretary; the heads of operating administrations, regional offices of the Regional Emergency Transportation Coordinators, the Regional Administrators, Directors and Commanders of the operating administrations and in headquarters of operating administrations divisions, district commands, and other field offices of the Department.

Categories of individuals covered by the system: Professional and clerical employees and military members of the U.S. Government, Directors - designate and Deputy Directors - designate and members of the National Defense Executive Reserve who have been given emergency billet assignments within the Department of Transportation Emergency Structure.

Categories of records in the system: The Alerting Charts and Schedules show names and office and home telephone numbers of individuals in calling sequence and are listed by national headquarters and by regional offices; also contain similar listings designed for management convenience within DOT and the operating elements.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For identification of individuals required to insure viability of DOT in the immediate preattack - transattack - postattack period of a national defense emergency. Available to the Secretarial Officers, heads of operating administrations or designated subordinates (national and regional) and to individuals listed.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Publication is maintained in stock, in listings in each office of record, and in standard filing equipment in locked file rooms.

Retrievability: Manually by position listing.

Safeguards: Metal file containers or other standard office equipment secured in a locked file room during office duty hours.

Retention and disposal: Retained until republished then destroyed.

System manager(s) and address: Director of Emergency Transportation, DPB-30,

Department of Transportation,
Research and Special Programs Administration,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Inquiries may be addressed to any of the offices listed under 'System Locations'. Individuals requesting such information must sign the request and include suitable identification.

Alternatively, personal visits to the above locations with presentation of the above credentials will enable individual to learn of and have access to his or her record.

Record access procedures: Individual may secure or obtain information on procedures for gaining access to records by (1) referral to the information sheet issued to him or (2) addressing a written query to the offices cited under System Location, (except the Facility Manager, FAA Records Center, West King Street and South Maple Avenue, Martinsburg, WV 25401, who maintains duplicate files in storage only) or (3) presenting himself to those offices.

Contesting record procedures: Same as 'Record Access Procedures'.

Record source categories: Office or Agency of employment.

DOT/OST 054.

System name: Time and Attendance Report (FHWA Form 320 (7-73)) for the Office of Emergency Transportation. DOT/RSPA.

System location: Department Transportation (DOT),

Research and Special Programs Administration,
Office of Emergency Transportation (OET), (DPB-30),
400 7th Street, SW, Room 8330,
Washington, DC 20590.

Categories of individuals covered by the system: Professional and clerical employees, permanent and temporary, and consultants employed in OET.

Categories of records in the system: Record consists of a computer punch card with a tissue carbon.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to maintain record of attendance at duty station and leave accounts of employees concerned.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained alphabetically in desk of the administrative secretary to the Director.

Retrievability: Maintained alphabetically; retrieved manually.

Safeguards: Maintained in a locked file room in a building under 24 hour guard; admission by building pass only.

Retention and disposal: Hard copy forwarded to paymaster every pay period; tissue retained indefinitely.

System manager(s) and address: Director of Emergency Transportation, DPB-30,

Department of Transportation,
Research and Special Programs Administration,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Inquiries may be addressed to the System Manager. Individuals requesting such information must sign the request and provide suitable identification.

Alternatively, a personal request to the System Manager or his representative will enable the individual to have access to his record.

Record access procedures: Individual may obtain information on procedures for gaining access by addressing a written query to the system manager or by presenting himself to the office cited in location above.

Contesting record procedures: Individual may obtain information on contest by request to the System Manager.

Record source categories: Individuals concerned. Personnel and pay account records.

DOT/OST 055.

System name: Application for U. S. Government Motor Vehicle Operator's Identi- fication Card (Government Drivers License). DOT/OST.

System location: Department of Transportation (DOT), Office of the Secretary (OST),

Transportation Branch (M-444),
400 7th Street, SW, Room 2318,
Washington, DC 20590.

Categories of individuals covered by the system: This system of records contains information regarding all OST employees who are licensed to operate government vehicles.

Categories of records in the system: Application for operator's Identification Card.

Physical fitness inquiry.
Accident Reports.
NHTSA Vehicle Driver Register Report.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Determine qualifications and fitness for issuance, retention, revocation or renewal of operators license.

Limited access to issuing official and those persons whose official duties require such access.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in a locking filing cabinet in folders.

Retrievability: These records are filed in alphabetical order with a cross reference by permit number in a log.

Safeguards: Limited access to issuing official and those persons whose official duties require such access.

Retention and disposal: Retained for 5 years after separation, retirement or transfer of individual or expiration of license and then destroyed.

System manager(s) and address: Chief, Transportation Branch,

Department of Transportation,
Office of the Secretary,
Chief, Transportation Branch 400 7th Street, SW, Room 2318,
Washington, DC 20590.

Notification procedure: Inquiries may be addressed to:

Department of Transportation,
Office of the Secretary,
Transportation Branch, TAD-444,
400 7th Street, SW, Room 2318,
Washington, DC 20590.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact, or address their inquiries to, the system manager.

Contesting record procedures: To contest a record, contact the System Manager.

Record source categories: Applications received from individuals for operator's license.

Accident reports received from individuals.

DOT/OST 056.

System name: Garnishment Files. DOT/OST.

System location: Department of Transportation (DOT),

Office of the Secretary (OST),
Office of the General Counsel,
Office of the Assistant General Counsel for Environmental,
Civil Rights and General Law,
400 7th Street, SW, Room 10424,
Washington, DC 20590.

Categories of individuals covered by the system: Employees of the Department of Transportation, including members of the Coast Guard, whose pay is sought to be attached under section 459 of the Social Security Act , 42 U.S.C. 659.

Categories of records in the system: Correspondence and court orders, and copies thereof,concerning attachment of employees' pay.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as record of garnishments and Garnishment Attorney's action thereon.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders stored in the Garnishment Attorney's office.

Retrievability: Indexed individually by name in alphabetical order.

Safeguards: Records are disclosed only to individuals with established legal interest or legal 'need to know'.

Retention and disposal: Retained for as long as the attachment of pay continues and thereafter as needed for precedential value.

System manager(s) and address: Mail Address:

Garnishment Attorney, C-10,
U.S. Department of Transportation,
Washington, DC 20590.
Office Location:
400 7th Street, SW, Room 10424.

Notification procedure: Apply to System Manager.

Record access procedures: Apply to System Manager.

Contesting record procedures: Apply to System Manager.

Record source categories: Data is obtained from state courts and agencies, private attorneys, present and former spouses of employees, and federal pay records.

DOT/OST 057.

System name: Honors Attorney Recruitment Files. DOT/OST.

Security classification: Department of Transportation (DOT),

Office of the Secretary (OST),
Office of the General Counsel,
400 7th Street, SW, Room 10428,
Washington, DC 20590.

Categories of individuals covered by the system: Third-year law students and recent law school graduates.

Categories of records in the system: Resumes, transcripts, copies of Personnel Form 171.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by General Counsel, Chief Counsels, and their staffs in filling job vacancies for attorneys.

See also Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders in file cabinets.

Retrievability: Indexed individually by name in alphabetical order.

Safeguards: Records are disclosed only to individuals who have legal interests in the records or legal 'need-to-know.'

Retention and disposal: Retained at system location for 5 years, then destroyed.

System manager(s) and address: Mail Address:

Special Assistant to the General Counsel, C-4,
U.S. Department of Transportation,
Washington, DC 20590.
Office Location:
400 7th Street, SW, Room 10428.

Notification procedure: Contact the System Manager.

Record access procedures: Contact the System Manager.

Contesting record procedures: Same as 'Record Access Procedure.'

Record source categories: Law students, recent law school graduates, General Counsel, Chief Counsels and their staffs.

DOT/OST 058.

System name: Public Information Distribution System. DOT/OST.

System location: Department of Transportation (DOT),

Office of the Secretary (OST),
400 7th Street, SW,
Washington, DC 20590.
System is located in the
Office of Public Affairs, I-30,
and in the

Office of the Assistant Secretary for Administration, M-1.

Categories of individuals covered by the system: News media representatives; Federal, state and local government officials; Congressional representatives and Senators; educators; librarians; foreign government and foreign industry officials; domestic transportation industry officials; and interested members of the general public.

Categories of records in the system: Names and addresses; subjects of interest to addressee.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For effective dissemination of Departmental public information materials.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape and disc; Xerox 730 cards; and computer printouts.

Retrievability: By name of addressee; by subject of interest.

Safeguards: Computer storage secured by access codes and passwords; cards and printouts are stored in locked files, accessible only by authorized personnel.

Retention and disposal: Record of addressee retained until person wishes to be removed from list or until deleted as a result of annual purge.

System manager(s) and address: Director of Public Affairs,
Department of Transportation,
Office of the Secretary,
400 7th Street, SW,
Washington, DC 20590.

Notification procedure: Inquiries should be directed to the: Department of Transportation,
Office of the Secretary,
Director of Public Affairs,
400 7th Street, SW,
Washington, DC 20590.

Record access procedures: Contact System Manager for information on procedures for gaining access to records.

Contesting record procedures: Contact System Manager for information on procedures for contesting records. Appeals should be directed to the Secretary of Transportation, if request for modification or deletion is denied.

Record source categories: Published lists (e.g., media directories); other governmental agencies; and specific requests by addressees and interested parties.

DOT/OST 059.

System name: Files of the Board for Correction of Military Records (BCMR) for the Coast Guard. DOT/OST.

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
Office of the General Counsel,
Board for Correction of Military Records,
400 7th Street, SW, Room 9414,
Washington, DC 20590.

Categories of individuals covered by the system: Individuals who have filed applications for relief before the Board.

Categories of records in the system: Applications and related documents, Board decisions, and official military records of applicants.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by the Chairman, the Board, the Executive Secretary and Staff in determining whether to grant relief to applicants.

Used by the Coast Guard in presenting its views to the Board concerning pending cases. Also used by applicant and his representative.

Used by the General Counsel and his staff in determining whether to approve decisions of the board.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders stored in file cabinets.

Retrievability: Indexed individually by name in one of two alphabetical sequences representing pending and closed cases. Also indexed by docket number. Pending cases filed by docket number; closed cases filed alphabetically.

Safeguards: Records are disclosed only to the applicant, his representative, interested members of Congress, and the Coast Guard.

Retention and disposal: Transfer of official military record of individual separated from service to Federal Records Center when case closed; transfer of official military record of Active or Reserve member to Coast Guard Headquarters when case closed; re- tention of application file in all cases.

System manager(s) and address: Mail Address:
Executive Secretary,
Board for the Correction of Military Records, C-60,
U.S. Department of Transportation,
Washington, DC 20590.
Office Location:
400 7th Street, SW, Room 9414.

Notification procedure: Apply to System Manager.

Record access procedures: Apply to System Manager.

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: U.S. Coast Guard, Veterans Administration, individual applicants.

DOT/OST 061.

System name: Records of Official Time Granted Employees for Performing Representational Functions.

System location: All DOT locations.

Categories of individuals covered by the system: None.

Categories of records in the system: All employees representing other DOT employees, pursuant to such employees' right to representation under statute, regulation, executive order, or the terms of a collective bargaining agreement.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system records the amount of official time granted to individuals to perform employee representational functions, and the purpose for which the official time was used. Information in these records may be used: 1. By agency officials and officially recognized labor unions for review to assure that the use of official time is in accordance with applicable government/agency policy and regulations. 2. Preparation of analytical and statistical studies and reports. 3. See prefatory statement of general routine uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, punch cards, magnetic tape, discs, or by other electronic means.

Retrievability: These records are retrieved by name or by category of use.

Safeguards: Access to and use of these records are limited to agency personnel whose official duties require such access, and to officially recognized labor unions with respect to employees within the units that they represent. Safeguards include locked buildings, guard service, and locked file cabinets.

Retention and disposal: Statistical information from these records may be made available to other agencies or to the interested public. These records are destroyed after three years.

System manager(s) and address: The Personnel Officer of each DOT facility, or the Chief, Labor-Management Relations Division, Office of Personnel and Training, Office of the Assistant Secretary for Administration, U.S. Department of Transportation, 400 7th Street SW., Washington, D.C. 20590.

Notification procedure: Inquiries should be directed to the System Manager.

Record access procedures: Contact or write to the System Manager for information on procedures for gaining access to records.

Contesting record procedures: Contact or write the System Manager. Reasonably identify the record and specify the information to be contested.

Record source categories: Federal employees and supervisors.

DOT/OST 090.

System name: Memorandum of Monthly Performance of Keypunch Operators. DOT/OST.

System location: Department of Transportation (DOT),
Assistant Secretary for Administration (M-90),
Transportation Computer Center,
Operations Division - Data Section,
400 7th Street, SW, Room 2401,
Washington, DC 20590.

Categories of individuals covered by the system: Keypunch and key-to-tape operators.

Categories of records in the system: The System consists of a Computer Printout Report containing various production information.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This information is used as a measurement of employee performance and equipment utilization by TCC managers.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The report is in the form of a computer printout.

Retrievability: System is indexed by employee number. Employee's name does not appear on report.

Safeguards: Report is returned and filed in a folder by Chief, Data Section in a locked file drawer.

Retention and disposal: The reports are kept for a period of one year at which time they are disposed of by a shredding process.

System manager(s) and address: Chief, TCC Operations Group A,
Department of Transportation,
Assistant Secretary for Administration (M-90),
Transportation Computer Center,
400 7th Street, SW, Room 2401,
Washington, DC 20590.
Chief, TCC Operations Group B,
Department of Transportation,
Assistant Secretary for Administration (M-90),
Transportation Computer Center,
400 7th Street, SW, Room 2401,
Washington, DC 20590.

Notification procedure: Same as in 'System Manager' above.

Record access procedures: Same as in 'System Manager' above.

Contesting record procedures: Same as in 'System Manager' above.

Record source categories: The information comes from an employee utilization form filled out by each operator for each job keyed.

DOT/OST 100

System name: Investigative Record System. DOT/OST

System location: Department of Transportation (DOT),
Office of the Secretary (OST),
Office of the Inspector General
400 7th Street, S.W.
Washington, D.C. 20590

Categories of individuals covered by the system: Present and former DOT employees, DOT contractors and employees as well as grantees, subgrantees, contractors, subcontractors and their employees and recipients of DOT monies, and other individuals or incidents subject to investigation within the purview of the Inspector General Act.

Categories of records in the system: Results of investigations and inquiries conducted by Inspector General (OST); reports of investigations conducted by other departmental, Federal, state and local investigative agencies which relate to the mission and function of the Inspector General; and investigative case index card files.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information contained in the Investigative Records System is collected and maintained in the administration of the Inspector General Act of 1978 (Public Law 95-452) to investigate, prevent and detect fraud and abuse in departmental programs and operations. Material gathered is used for prosecutive, civil or administrative actions. These records may be disseminated, depending on jurisdiction, to:

DOT Officials in the administration of their responsibilities.
Other Federal, state, local or foreign agencies or administrations having interest or jurisdiction in the matter.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in case folders in manual filing system and on index cards.

Retrievability: By name or incident title.

Safeguards: Investigative files and case index files are maintained in several spaces with appropriate access controls. Access to investigative files is restricted to authorized investigative personnel on a 'need to know' basis.

Retention and disposal: Investigative material held for ten years, then destroyed by secure means used for classified materials.

System manager(s) and address: Inspector General (J-1),
Department of Transportation,
Office of the Secretary,
400 7th Street, S.W.
Washington, D.C. 20590

Notification procedure: Same as 'System Manager'.

Record access procedures: Same as 'System Manager'. Investigative data compiled for law enforcement purposes may be exempt from the access provisions pursuant to 5 USC 552a(k)(1), (k)(2), or (j)(2).

Contesting record procedures: Same as 'Record Access Procedure'.

Record source categories: These records contain information obtained from interviews, review of records and other authorized investigative techniques.

Systems exempted from certain provisions of the act: Investigative data compiled for law enforcement purposes may be exempt from the access provisions pursuant to 5 USC 552a(j)(2), (k)(l) or (k)(2).

DOT/OST 101.

System name: Office of Inspector General, Management Information System (OIG/MIS).

System location: Office of Inspector General,
Management Information Staff,
Room 9200, 400 7th Street, S.W.,
Washington, D.C. 20590.
Using the Computer Sciences Corporation Infonet Timesharing System, Beltsville, Maryland.

Categories of individuals covered by the system: All active employees of the OIG, with history data on previous employees maintained for two years.

Categories of records in the system: Individual's current position and employment status, assignments, travel, experience, training, with the following personal data: name, social security account number, date of birth, service computation date, career status, address, assigned station, job series, clearance, education, grade and evaluation due date.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: There will be no external uses. Internally, information will be used as follows: (1) Security clearance notification alerts may be provided to an examined activity in advance of visits by OIG personnel if information to be examined requires a secret clearance or above; (2) Time and attendance reports will be used to track temporary duty travel frequency and duration, to categorize indirect time for periodic reports, to accrue staff hour data on assigned projects, and to provide time and attendance data to the centralized payroll system; (3) Planned annual leave reporting will be used by various managers for workload planning and travel scheduling; (4) Assignment information and workload status information will be used by managers to control audits and investigations, and to maximize effectiveness or staff resources; (5) Miscellaneous personnel information will be used by staff managers to determine training needs, promotional eligibility, education and background, and professional organization participation; (6) Travel information will be used by managers to control temporary duty travel, travel costs and issuances of travel orders.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Active reports on magnetic disk, with backup active records and inactive records maintained on magnetic tape.

Retrievability: All records will be retrievable through employee social security number, with selected records having certain secondary keys consisting of certain other data elements, listed in the 'Categories of Records in the System'.

Safeguards: (1) Records will be maintained in a private library not accessible by any unauthorized user; (2) Authorized user identification codes will be tied to multiple password system to afford additional protection; (3) Any attempt to bypass the password protection system will result in an immediate 'Log-Off' from the system; (4) Physical access to system documentation, hard copy printouts, personal data files, and terminals will be restricted to authorized personnel by maintaining a secure environment in the headquarters office; (5) Access to data will be restricted to those who require it in the performance of their official duties and to the individual who is the subject of the record (or authorized representative); (6) Tape files will be maintained in an environmentally secure vault area when not in use.

Retention and disposal: Records will be maintained for two years after they become inactive. All inactive records will be maintained on magnetic tape within the computer center and will be afforded the same safeguards as active records. Machine-resident records will

be destroyed at the end of the two year period. Hard copy records will be retained until the records are replaced or become obsolete.

System manager(s) and address: Chief, Management Information Staff,

Office of Resources and Management, JP-20,
Office of the Inspector General,
Room 9200, 400 7th Street, S.W.,
Washington, D.C. 20590.

Notification procedure: Department of Transportation,

Office of Inspector General,
Room 9200, 400 7th Street, S.W.,
Washington, D.C. 20590
Attn: Assistant Inspector General for Resources and Management.

Record access procedures: Contact System Manager.

Record source categories: (1) Official personnel folder; (2) Other personnel documents; (3) Activity supervisors; (4) Individual applications and forms.

DOT/SLS 151.

System name: Claimants under Federal Tort Claims Act. DOT/SLS.

System location: Department of Transportation (DOT),

Saint Lawrence Seaway Development Corporation (SLSDC),
Administration Building,
180 Andrews Street,
Massena, NY 13662.

Categories of individuals covered by the system: Persons who make claims against the Corporation.

Categories of records in the system: Claims forms on which are recorded name, address, age and marital status of claimants.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by General Counsel to determine allowability of claims.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Indexed by subject and name.

Safeguards: Records are kept in locked file cabinets and are accessible only to the General Counsel and his secretary.

Retention and disposal: Records are retained indefinitely since they are not extensive and are used for reference.

System manager(s) and address: General Counsel,

Department of Transportation,
Saint Lawrence Seaway Development Corporation,
P. O. Box 520,
Massena, NY 13662.

Notification procedure: The individual may inquire, in writing, to the above System Manager to inquire whether this system of records applies to him/her.

Record access procedures: An individual may gain access to his/her records by written request to the:

Department of Transportation,
Saint Lawrence Seaway Development Corporation,
Director of Administration,
P.O. Box 520,
Massena, NY 13662.

Contesting record procedures: Contest of these records will be directed to the Director of Administration, as under 'Record Access Procedure',and if not resolved at that level, may be appealed in writing to the Secretary of Transportation addressed as follows:

Department of Transportation,
Saint Lawrence Seaway Development Corporation,
Administrator, SLSDC,
P.O. Box 520,
Massena, NY 13662.

Record source categories: Claimants.

DOT/SLS 152.

System name: Data Automation Program Records. DOT/SLS.

System location: Department of Transportation (DOT),

Saint Lawrence Seaway Development Corporation (SLSDC),
Administration Building,
180 Andrews Street,
Massena, NY 13662.

Categories of individuals covered by the system: Employees and consultants.

Categories of records in the system: Payroll and leave records, work measurement records, travel vouchers.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Payroll and voucher disbursement:

GAO audits.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape reels, punch cards, micro-film cassettes and supporting documents.

Retrievability: Indexed by social security number and name.

Safeguards: Records are kept in locked file cabinets or locked rooms accessible to appropriate supervisor, his immediate assistants and secretary.

Retention and disposal: Records are retained in accordance with GAO and GSA schedules.

System manager(s) and address: Comptroller,

Department of Transportation,
Saint Lawrence Seaway Development Corporation,
P.O. Box 520,
Massena, NY 13662.

Notification procedure: The individual may inquire, in writing, to the System Manager to inquire whether this system of records applies to him.

Record access procedures: An individual may gain access to his records by written request to:

Department of Transportation,
Saint Lawrence Seaway Development Corporation,
Director of Administration,
P.O. Box 520,
Massena, NY 13662.

Contesting record procedures: Contest of these records will be directed to the Director of Administration, at the address given in 'Record Access Procedure'.

If not resolved at that level, may be appealed in writing to the Secretary of Transportation addressed as follows:
Department of Transportation,
Saint Lawrence Seaway Development Corporation,
Administrator, SLSDC,
P.O. Box 520,
Massena, NY 13662.

Record source categories: Information obtained from employees, personnel records, consultants.

DOT/SLS 153.

System name: Employees' Compensation Records. DOT/SLS.

System location: Department of Transportation (DOT),

Saint Lawrence Seaway Development Corporation (SLSDC),
Administration Building,
180 Andrews Street,
Massena, NY 13662.

Categories of individuals covered by the system: Employees.

Categories of records in the system: Claim forms on which are recorded employees' personal statistics, medical record.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For determining allowability of claims.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders and micro-film cassette.

Retrievability: Indexed by name.

Safeguards: Records are kept in locked file cabinets and are accessible to cognizant Personnel Officers.

Retention and disposal: Retained indefinitely for possible future use.

System manager(s) and address:

Director of Administration,
Department of Transportation,
Saint Lawrence Seaway Development Corporation,
P.O. Box 520
Massena, NY 13662.

Notification procedure: The individual may inquire, in writing, to the above System Manager to inquire whether this system of records applies to him.

Record access procedures: An individual may gain access to his records by written request to:

Department of Transportation,
Saint Lawrence Seaway Development Corporation,
Director of Administration,
P.O. Box 520,
Massena, NY 13662.

Contesting record procedures: Contest of these records will be directed to the System Manager and if not resolved at that level, may be appealed in writing to the:

Secretary of Transportation,
Saint Lawrence Seaway Development Corporation,
Administrator, SLSDC,
P.O. Box 520,
Massena, NY 13662.

Record source categories: Injured employee, witnesses, supervisors, hospitals, physicians.

DOT/SLS 155.

System name: Emergency Operating Records (Vital Records). DOT/SLS.

System location: Department of Transportation (DOT),

Saint Lawrence Seaway Development Corporation (SLSDC),
Eisenhower Lock (Emergency Relocation Site),
Massena, NY 13662.

Categories of individuals covered by the system: Employees.

Categories of records in the system: Retirement records, payroll distribution records, leave records, employee roster and next of kin records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To insure continuity of operations during and after a national defense emergency.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Indexed by name and social security number.

Safeguards: Locked metal file container.

Retention and disposal: Retained until updated annually; then old records destroyed.

System manager(s) and address: Director of Administration (Emergency Coordinator),

Department of Transportaion,
Saint Lawrence Seaway Development Corporation,
P. O. Box 520,
Massena, NY 13662.

Notification procedure: Individuals may inquire in writing to the System Manager to inquire whether this system of records applies to him.

Record access procedures: An individual may gain access to his records by written request to the:

Department of Transportation,
Saint Lawrence Seaway Development Corporation,
Director of Administration,
P. O. Box 520,
Massena, NY 13662.

Contesting record procedures: Contest of these records will be directed to the Director of Administration and if not resolved at that level, may be appealed in writing to the Secretary of Transportation addressed as follows:

Department of Transportation,
Saint Lawrence Seaway Development Corporation,
Administrator SLSDC,
P.O. Box 520,
Massena, NY 13662.

Record source categories: Personnel records, time cards, and related supporting documents.

DOT/SLS 156.

System name: Safety Management Information System. DOT/SLS.

System location: Department of Transportation (DOT),

Saint Lawrence Seaway Development Corporation (SLSDC),
Safety and Security Division,Eisenhower Lock,
Massena, NY 13662.

Categories of individuals covered by the system: Federal employees, contractor personnel and visitors.

Categories of records in the system: Accident Reporting Records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To submit required reports.

Provide data base for analysis and corrective action.
Statistical records.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Indexed by name.

Safeguards: Locked metal file cabinets accessible to Safety and Security Officer.

Retention and disposal: Retained for three years, then destroyed.

System manager(s) and address: Safety and Security Officer,

Department of Transporatation,
St. Lawrence Seaway Development Corporation,
P.O. Box 520,
Massena, NY 13662.

Notification procedure: The individual may inquire , in writing, to the System Manager to inquire whether this system of records applies to him.

Record access procedures: An individual may gain access to his record(s) by written request to:

Department of Transportation,
St. Lawrence Seaway Development Corporation,
Director of Administration,
P.O. Box 520,
Massena, NY 13662.

Contesting record procedures: Contest of these records will be directed to the Director of Administration and if not resolved at that level, may be appealed in writing to the Secretary of Transportation, addressed as follows:

Department of Transportation,
Saint Lawrence Seaway Development Corporation,
Administrator, SLSDC,
P.O. Box 520,
Massena, NY 13662.

Record source categories: Federal employees and supervisors.

DOT/SLS 157.

System name: Vehicle Operator Identification System. DOT/SLS.

System location: Department of Transportation (DOT),

Saint Lawrence Seaway Development Corporation (SLSDC),
Safety & Security Division, Eisenhower Lock,
Massena, NY 13662.

Categories of individuals covered by the system: Employees.

Categories of records in the system: This record contains personal identification, vehicle limitations and driving record; also contains information on employee's physical condition.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To ensure safe operation of government owned vehicles on government business.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Card and file folders.

Retrievability: Indexed by name and identification number.

Safeguards: Records kept in locked file cabinets accessible only to Safety and Security Officer.

Retention and disposal: Maintained for tenure of the employee plus 1 year, then destroyed.

System manager(s) and address: Safety and Security Officer,

Department of Transportation,
Saint Lawrence Seaway Development Corporation,
P.O. Box 520,
Massena, NY 13662.

Notification procedure: The individual may inquire, in writing, to the System Manager to inquire whether this system of records applies to him.

Record access procedures: An individual may gain access to his records by written request to:

Department of Transportation,

Saint Lawrence Seaway Development Corporation,
Director of Administration,
P. O. Box 520,
Massena, NY 13662.

Contesting record procedures: Contest of these records will be directed to the Director of Administration and, if not resolved at that level, may be appealed in writing to the Secretary of Transporatation, addressed as follows:

Department of Transportation,
Saint Lawrence Seaway Development Corporation,
Administrator,
P.O. Box 520,
Massena, NY 13662.

Record source categories: Information obtained from employee and from records maintained in the Personnel Division.

DOT/TSC 700.

System name: Automated Management Information System. DOT/TSC.

System location: Department of Transportation (DOT),

Transportation Systems Center (TSC),
Computer Services Division, DTS-86,
Kendall Square,
Cambridge, MA 02142.

Categories of individuals covered by the system: All TSC employees.

Categories of records in the system: Contains job related information associated with the following applications: ADP services, property management, procurement requests, contract information, travel information, program and related job plans, patent data, space utilization, park control and other pertinent management information.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The general pruposes of this system are intended for internal management and control, including:

Computer facility planning.
ADP cost distribution.
Budget and planning analysis.
Procurement tracking.
Procurement statistics and analysis.
Information of travel incurred.
Contract administration.
Control of property.
Control of building space.
Control of parking facilities.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Punched cards, magnetic tape and disk.

Retrievability: Indexed by employee's name.

Safeguards: Access to the systems and their associated data banks is available through the utilization of the unique project and programmer numbers, and the passwords known only by the authorized custodians.

Access to reports is controlled by the Reports Distribution function of the Administrative Directorate on a need-to-know basis. For normal working requirements, the reports are distributed to the functional areas responsible for the data generation.

Access to the computer room and its associated areas where data and reports are stored is delineated in the TSC ADP Facility Document on Safeguards and Controls.

Retention and disposal: The systems are permanent unless replaced.

The data banks, for the most part, are related to fiscal year activity.

Subsequent to the fiscal year, the data banks become either part of the history file of the system or are maintained by themselves for historical reasons.

Data records are deleted from the data banks on an as-required basis, and subsequently are eliminated from associated reports.

Reports used as daily working papers are retained only until updated reports are produced and then the old reports are discarded. Official closing reports corresponding to month-end and fiscal-year-end periods are retained for longer periods and are not subject to any rigid disposal procedure.

System manager(s) and address: Director of Administration, DTS-86,

Department of Transportation,
Transportation Systems Center,
Kendall Square,
Cambridge, MA 02142.

Notification procedure: Information may be obtained through the Director of Administration from the

Department of Transportation,
Transportation Systems Center,
Chief, Computer Services Division, DTS-86,
Kendall Square,
Cambridge, MA 02142.

Record access procedures: Requests from individuals should be addressed to the System Manager.

An individual may gain access to his data by written request.

Contesting record procedures: Contest of this data will be made to the System Manager. If administrative resolvement is not satisfactory to the individual, appeals may be filed in writing with the Secretary of Transportation addressed to the General Counsel as follows:

Department of Transportation,
Office of the Secretary,
Office of the General Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Administrative functional areas and technical directorates utilizing standard forms and special TSC forms such as the ADP Job Order form, the Procurement Request form,, the TSC Contract, the Property Control form the Project Program Agreement (PPA form, and the Work Plan Budget (WP) form.

DOT/TSC 701.

System name: Employee Travel Records. DOT/TSC.

System location: Department of Transportation (DOT),

Transportation Systems Center (TSC),
Management and Budget Division,
Accounting Branch, DTS-823,
Kendall Square,
Cambridge, MA 02142.

Categories of individuals covered by the system: TSC employees and other Government employees and private persons issued invitational travel orders to confer on Government problems.

Categories of records in the system: Travel records pertaining to reimbursements to individuals, consisting of:

Copies of travel orders.
Per diem vouchers.
Transportation requests.
Hotel reservations and all supporting papers relating to official travel of TSC employees or others authorized to travel by law.
Travel logs.
Travel reservation record card.
ADP travel reports.
Teletype ticket listing.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The general purposes of these records are intended for internal management and control, and also to authorize travel and reimbursement of expenses incurred.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Travel forms, logs, card files, basic documents and other paper records, including ADP printouts.

Retrievability: Indexed by employee's name.

Safeguards: Records are maintained in locked file cabinets. Logs are generally maintained in locked desk drawer.

Retention and disposal: Travel administration unit copies are maintained two (2) years then forwarded to the Federal Records Center where they are disposed of after one (1) additional year.

Obligation copies are disposed of when funds are obligated, generally by shredding.

System manager(s) and address: Chief, Management and Budget Division, DTS-82,

Department of Transportation,
Transportation Systems Center,
Kendall Square,
Cambridge, MA 02142.

Notification procedure: Information may be obtained from the System Manager.

Record access procedures: Requests from individuals should be addressed to the System Manager. An individual may gain access to his records by written request.

Contesting record procedures: Contest of this data will be made to the System Manager. If administrative resolvement is not satisfactory to the individual, appeals may be filed in writing with the Secretary of Transportation addressed to the General Counsel as follows:

Department of Transportation,
Office of the Secretary,
Office of the General Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Individual's request for travel and reimbursement with all supporting papers relating to official travel.

DOT/TSC 702.

System name: Legal Counsel Information Files. DOT/TSC.

System location: Department of Transportation (DOT),

Transportation Systems Center (TSC),
Office of Legal Counsel, Code 14,
Kendall Square,
Cambridge, MA 02142.

Categories of individuals covered by the system: TSC employees involved with legal matters.

Categories of records in the system: Counseling records, conflict of interest and Source Evaluation Board (SEB), and individual claims and personnel actions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The general purposes of these records are intended for internal management and control, including administrative reference and advising and counseling in legal matters.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper record folders.

Retrievability: Indexed by employee's name and subject matter.

Safeguards: Records are maintained in locked desk drawers and safe.

Retention and disposal: One (1) year after final action.

System manager(s) and address: Legal Counsel,

Department of Transportation,
Transportation Systems Center,
Office of Legal Counsel,
Kendall Square,
Cambridge, MA 02142.

Notification procedure: Information may be obtained from the System Manager.

Record access procedures: Requests from individuals should be addressed to the System Manager.

An individual may gain access to his records by written request.

Contesting record procedures: Contest of this data will be made to the System Manager. If administrative resolvement is not satisfactory to the individual, appeals may be filed in writing with the Secretary of Transportation addressed to the General Counsel as follows:

Department of Transportation,
Office of the Secretary,
Office of the General Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Employee, Supervisor, Legal Office, Personnel Office.

DOT/TSC 703.

System name: Occupational Safety & Health Reporting System. DOT/TSC.

System location: Department of Transportation (DOT),

Transportation Systems Center (TSC),
Deputy Director of Administration, DTS-81,
Kendall Square,
Cambridge, MA 02142.

Categories of individuals covered by the system: TSC employees, in-house contractor personnel and visitors who have occupational illnesses, injuries or are involved in Government property accidents.

Categories of records in the system: Federal Occupational Injuries & Illnesses Survey form. DOT Accident/Injury Reports, DOT forms 3902.1 through 8.

Department of Labor, for payment of medical bills and workmen's compensation, as applicable.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The general purposes of these records are intended for internal management and control, and also for accident prevention.

The routine uses of the Department of Labor forms are for (1) submission to doctors and medical institutions rendering services to individuals and (2) to the Office of Employees Compensation, Department of Labor, for payment of medical bills and workmen's compensation, as applicable.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Forms and other paper records.

Retrievability: Indexed by individual's name.

Safeguards: Records are maintained in locked file cabinets and folders are stamped 'For Official Accident Prevention Use Only.'

Retention and disposal: Records are retained for five years and then destroyed by shredding.

System manager(s) and address: Deputy Director of Administration, DTS-81,

Department of Transportation,
Transportation Systems Center,
Kendall Square,
Cambridge, MA 02142.

Notification procedure: Information may be obtained from the System Manager.

Record access procedures: Requests from individuals should be addressed to the System Manager.

An individual may gain access to his records by written request.

Contesting record procedures: Contest of this data will be made to the System Manager. If administrative resolvement is not satisfactory to the individual, appeals may be filed in writing with the Secretary of Transportation addressed to the General Counsel as follows:

Department of Tranportation,
Office of the Secretary,
Office of the General Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Documents provided by the individual concerned and immediate supervisor.

DOT/TSC 704.

System name: Stand-By Personnel Information. DOT/TSC.

System location: Department of Transportation (DOT),

Transportation Systems Center (TSC),
Management and Budget Division,
Budget Branch, DTS-821,
Kendall Square,
Cambridge, MA 02142.

Categories of individuals covered by the system: TSC technical directorate personnel currently not fully assigned to authorized projects.

Categories of records in the system: Employee work project status and request for approval for stand-by time.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The general purposes of these files are intended for internal management and control, including administrative reference and scheduling of work projects, budgeting and overhead classification.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: Indexed by employee's name and subject classification 'Stand-By Time.'

Safeguards: Records are maintained in secured desk drawers and cabinets.

Retention and disposal: Records are maintained for one (1) additional year following completion of current fiscal year. Records are then destroyed.

System manager(s) and address: Chief, Management and Budget Division, DTS-82,

Department of Transportation,
Transportation Systems Center,

Kendall Square,
Cambridge, MA 02142.

Notification procedure: Information may be obtained from the System Manager.

Record access procedures: Requests from individuals should be addressed to the System Manager.

An individual may gain access to his records by written request.

Contesting record procedures: Contest of this data will be made to the System Manager. If administrative resolvement is not satisfactory to the individual, appeals may be filed in writing with the Secretary of Transportation addressed to the General Counsel as follows:

Department of Transportation
Office of the Secretary
Office of the General Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Supervisor.

DOT/TSC 706.

System name: Automated Planning System. DOT/TSC.

System location: Department of Transportation (DOT),

Transportation Systems Center (TSC),
Office of Plans and Programs, DTS-15,
Kendall Square,
Cambridge, MA 02142.

Categories of individuals covered by the system: All TSC technical personnel, i.e., those personnel working on direct projects.

Categories of records in the system: Information on all current and anticipated programs/projects and respective limits of man-years and dollars (total) budgeted.

Personnel information on all technical personnel.
Information on each technical person, based upon the planning/assignment of an individual to a program/project.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The general purpose of this system is to aid in the planning for an analysis of the loading (assignment) of manpower to the numerous programs/projects undertaken by the TSC.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Punched cards, magnetic tape and disk.

Retrievability: Indexed by employee's name.

Safeguards: Access to the system and its associated data banks is available through the utilization of the unique project and programmer numbers, and the passwords known only by the authorized custodians.

Access to reports is controlled by the Reports Distribution function of the Administrative Directorate on a need-to-know basis. For normal working requirements, the reports are distributed to the functional areas responsible for the data generation.
Access to the computer room and its associated areas where data and reports are stored is delineated in the TSC ADP Facility Document on safeguards and controls.

Retention and disposal: The system is permanent unless replaced. The data banks, for the most part, are related to fiscal year activity. Subsequent to the fiscal year, the data banks become either part of the history file of the system or are maintained separately for historical reasons.

Reports used as daily working papers are retained only until updated reports are produced and then the old reports are discarded. Official closing reports corresponding to month-end and fiscal-year-end periods are retained for longer periods and are not subject to any rigid disposal procedure.

System manager(s) and address: Director, DTS-1,

Department of Transportation,
Transportation Systems Center,
Kendall Square,
Cambridge, MA 02142.

Notification procedure: Information may be obtained through the Director of Administration from the Associate Director, Plans and Programs, DTS-15:

Department of Transportation,
Transportation Systems Center,
Kendall Square,
Cambridge, MA 02142.

Record access procedures: Requests from individuals should be addressed to the System Manager

Contesting record procedures: An individual may gain access to his data by written request. Contest of this data will be made to the System Manager. If administrative resolvement is not satisfactory to the individual, appeals may be filed in writing with the Secretary of Transportation addressed to the General Counsel as follows:

Department of Transportation,
Office of the Secretary.
Office of the General Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Program/Project files.

Personnel files.
Assignment forms.

DOT/TSC 707.

System name: Automated Manpower Distribution System. DOT/TSC.

System location: Department of Transportation (DOT),

Transportation Systems Center (TSC),
Management and Budget Division, DTS-82,
Accounting Branch, DTS-823,
Kendall Square,
Cambridge, MA 02142.

Categories of individuals covered by the system: All TSC employees.

Categories of records in the system: Contains information delineating the time and charges, including fringe and overhead, that TSC employees worked. The main association of the time and charges is with employee job assignment.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The general purposes of this system are intended for internal management and control, including:

Administrative reference.
Cost management.
Labor assignments and expenditures as they relate to both the job and the employee.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Punched cards, magnetic tape and disk.

Retrievability: Indexed by employee's number and job number.

Safeguards: Access to the system and its associated data bank is available through the utilization of the unique project and programmer numbers, and the passwords known only by the authorized custodians.

Access to reports is controlled by the Reports Distribution function of the Administration Directorate on a need-to-know basis. For normal working requirements the reports are distributed to the functional area responsible for the data generation.
Access to the computer room and its associated areas where data and reports are stored is delineated in the TSC ADP Facility Document on Safeguards and Controls.

Retention and disposal: The system is permanent unless replaced.

The data bank is related to fiscal year activity. Subsequent to the fiscal year, the data bank becomes part of the system's history file.
Data records are deleted from the data bank on an as required basis, and subsequently are eliminated from associated reports.
Reports used as daily working papers are retained only until updated reports are produced and then the old reports are discarded.
Official record copy reports are subject to retirement in accordance with General Records Schedules (GRS).

System manager(s) and address: Director of Administration, DTS-80,

Department of Transportation,
Transportation Systems Center,
Kendall Square,
Cambridge, MA 02142.

Notification procedure: Information may be obtained through the Director of Administration from the Chief, Accounting Branch, DTS-823 at the address under 'System Location'.

Record access procedures: Requests from individuals should be addressed to the System Manager.

Contesting record procedures: An individual may gain access to his data by written request.

Contest of this data will be made to the System Manager.
If administrative resolvement is not satisfactory to the individual, appeals may be filed in writing with the Secretray of Transportation addressed to the General Counsel as follows:
Department of Transportation,
Transportation Systems Center,
Office of the General Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: TSC form entitled 'Manpower Distribution'.

DOT/TSC 708.

System name: Combined Federal Campaign Information. DOT/TSC.

System location: Department of Transportation (DOT),

Transportation Systems Center (TSC),
Office of the Director, DTS-1,
Kendall Square,
Cambridge, MA 02142.

Categories of individuals covered by the system: All TSC employees.

Categories of records in the system: A record of how much, if anything, each employee has contributed.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The general purpose of this system is to gather and disseminate statistics and information on the donations to the Combined Federal Campaign.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Form filled out by keyman.

Retrievability: Indexed by employee's name.

Safeguards: Records are maintained in locked file cabinet.

Retention and disposal: Records are maintained for five years and then destroyed by shredding.

System manager(s) and address: Director,

Department of Transportation,
Transportation Systems Center,
Director, DTS-1,
Kendall Square,
Cambridge, MA 02142,

Notification procedure: Information may be obtained from the System Manager.

Record access procedures: Requests from individuals should be addressed to the System Manager.

Contesting record procedures: An individual may gain access to his records by written request.

Contest of this data will be made to the System Manager.
If administrative resolvement is not satisfactory to the individual, appeals may be filed in writing with the Secretary of Transportation addressed to the General Counsel as follows:
Department of Transportation,
Office of the Secretary,
Office of the General Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Combined Federal Campaign forms filled out by employees.

DOT/TSC 709.

System name: Minority Information Files. DOT/TSC.

System location: Department of Transportation (DOT),

Transportation Systems Center (TSC),
Civil Rights Officer, DTS-12,
Kendall Square,
Cambridge, MA 02142.

Categories of individuals covered by the system: TSC minority employees.

Potential minority hires in New England.

Categories of records in the system: Counselor records, Potential employee applications, minority skills bank, ADP reports - minority evaluation, personnel changes, minority reports, skills bank - resume card file, minority training records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The general purpose of these files is for: Use by the Civil Rights Office in DOT, administrative reference, and statistical reporting.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Card files, paper records, ADP reports.

Retrievability: Indexed by name, skills, standard personnel subject classification.

Safeguards: Records are maintained in locked file cabinet.

Retention and disposal: Records are maintained for 2 years and then destroyed.

System manager(s) and address: Civil Rights Officer, DTS-12,

Department of Transportation,
Transportation Systems Center,
Kendall Square,
Cambridge, MA 02142.

Notification procedure: Information may be obtained from the System Manager.

Record access procedures: Requests from individuals should be addressed to the System Manager.

Contesting record procedures: An individual may gain access to his records by written request.

Contest of this data will be made to the System Manager.
If administrative resolvement is not satisfactory to the individual, appeals may be filed in writing with the Secretary of Transportation addressed to the General Counsel as follows:
Department of Transportation,
Office of the Secretary,
Office of the General Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Equal Opportunity Officer.

Equal Opportunity Counselors.
Personnel Office.
Individual potential federal employees.

DOT/TSC 711.

System name: Blood Donor Information File. DOT/TSC.

System location: Department of Transportation (DOT),

Transportation Systems Center (TSC),
Facilities and Logistics Division, DTS-83,
Kendall Square,
Cambridge, MA 02142.

Categories of individuals covered by the system: All TSC employees and on-site contractor personnel.

Categories of records in the system: Blood Donors Phone Book (name, organization and telephone number of donor).

Blood Donors Schedule.
Requests for Blood Form (from hospital for employee or dependent).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The general purposes of these records is for the donation of blood by TSC employees and on-site contractor personnel to ensure coverage for themselves, spouses, dependent children, parents and grandparents of both employee and spouse, and all other people living in the employee's household for whom the member has responsibility.

The routine use of this system of records is to respond to requests for blood from employees and their dependents by furnishing information to the Red Cross to ensure the availability of blood.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper record.

Retrievability: Indexed by employee's name.

Safeguards: Records maintained in locked file cabinet.

Retention and disposal: Blood Donors Phone Book and Blood Donors Schedule maintained for one year and then destroyed. Request for Blood Form maintained until individual terminates employment with TSC, records are then destroyed.

System manager(s) and address: Chief, Facilities and Logistics Division, DTS-83,

Department of Transportation,
Transportation Systems Center,
Kendall Square,

Cambridge, MA 02142.

Notification procedure: Information may be obtained from the System Manager.

Record access procedures: Requests from individuals should be addressed to the System Manager.

Contesting record procedures: An individual may gain access to his data by written request.

Contest of this data will be made to the System Manager.
If administrative resolvement is not satisfactory to the individual, appeals may be filed with the Secretary of Tranportation addressed to the General Counsel as follows:
Department of Transportation,
Office of the Secretary,
Office ot the General Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Blood Donors Phone Book and Blood Donors Schedule are filled out by solicitors.

Request for Blood Form completed by employee or dependent requesting blood.

DOT/TSC 712.

System name: Automated Payroll/Personnel/Communications/Security System. DOT/TSC.

System location: Department of Transportation (DOT),

Transportation Systems Center (TSC),
Computer Services Division, DTS-86,
Kendall Square,
Cambridge, MA 02142.

Categories of individuals covered by the system: All TSC employees and tenants from other government agencies.

Categories of records in the system: Contains the pertinent information for activities involved with Payroll, Personnel, Communications, and Security.

Contains information about an individual relating to:
Social security number.
Salary, including current and calendar year-to-date data.
Birthdate.
Veteran preference.
Tenure.
Handicap.
Grade.
Marital status.
Service computation date.
Home address and telephone number.
TSC location including building and telephone number.
Security clearance level and date granted.
CSC title and classification code.
Competitive level.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The general purposes of this system are intended for internal management and control, including:

Administrative reference.
Source for management information for producing summary statistics and registers in support of the Payroll, Personnel, Communications and Security functions.
The routine uses of the Payroll portion of this system are for:
(1) Submission of data to the Federal Disbursing Office for check issuance.
(2) Submission of employee's salary data, including gross, and withholdings, to the Internal Revenue Service for income tax purposes.
(3) Submission of employee's salary data to State Income Tax Bureau for income tax purposes.
(4)Transfer of information of Health and Life Insurance companies for insurance coverage.
(5) Transfer of information to financial institutions and labor unions.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Punched cards, magnetic tape and disk.

Retrievability: Indexed by employee's number.

Safeguards: Access to the systems and their associated data banks is available through the utilization of the unique project and programmer numbers, and the passwords known only by the authorized custodians.

Access to reports is controlled by the Reports Distribution function of the Administrative Directorate on a need-to-know basis. For normal working requirements, the reports are distributed to the functional areas responsible for the data generation.
Access to the computer room and its associated areas where data and reports are stored is delineated in the TSC ADP Facility Document on Safeguards and Controls.

Retention and disposal: The systems are permanent unless replaced.

The data banks are related to both fiscal year and calendar year activity. Subsequent to the appropriate period, the data banks become either part of the history file of the system or are maintained by themselves for historical reasons.
Data records are deleted from the data banks on an as-required basis, and subsequently are eliminated from associated reports.
Reports used as daily working papers are retained only until updated reports are produced and then the old reports are discarded. Official closing reports corresponding to month-end, fiscal-year-end and calendar year-end periods are retained for longer periods and are not subject to any rigid disposal procedure.

System manager(s) and address: Director of Administration, DTS-80,

Department of Transportation,
Transportation Systems Center,
Kendall Square,
Cambridge, MA 02142.

Notification procedure: Information may be obtained through the Director of Administration from the:

Department of Transportation,
Transportation Systems Center,
Chief, Computer Services Division, DTS-86,
Kendall Square,
Cambridge, MA 02142.

Record access procedures: Requests from individuals should be addressed to the System Manager.

Contesting record procedures: An individual may gain access to his data by written request.

Contest of this data will be made to the System Manager.
If administrative resolvement is not satisfactory to the individual, appeals may be filed in writing with the Secretary of Transportation addressed to the General Counsel as follows:
Department of Transportation,
Office of the Secretary,
Office of the General Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Employee, Personnel Office, Payroll Office, Communications Office, Security Office.

DOT/TSC 713.

System name: Employee Payroll - Manpower Distribution System. DOT/TSC.

System location: Department of Transportation (DOT),

Transportation Systems Center (TSC),
Administrative Services Division,
Accounting Branch, DTS-823,
Kendall Square,
Cambridge, MA 02142.

Categories of individuals covered by the system: All TSC employees.

Categories of records in the system: Payroll and pay administration records pertatining to TSC employees for personal services, consisting of leave cards, manpower distribution cards, payroll change slips, retirement records, time and attendance reports, withholding tax and savings bank records, ADP reports, etc.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The general purposes of these records are intended for internal management and control; to authorize disbursements to employees for personal services and to charge labor to the appropriate direct or overhead job orders.

The routine uses of these records are as follows:
Transfer of information to the Treasury Department to complete payroll checks.
The receipt of information by the Social Security Administration to complete quarterly posting of accounts.
The receipt of information by the Internal Revenue Service and Massachusetts Income Tax Bureau for income tax purposes.

Transfer of information to Health and Life Insurance companies for insurance coverage.
Transfer of retirement records to the Bureau of Retirement, Insurance, and Occupational Health of the Civil Service Commission.
Transfer of information to the Department of Labor, Office of Employees Compensation, for payment of workmen's compensation.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Payroll and Manpower Distribution forms, cards, registers, basic documents and other paper records, including ADP printouts.

Retrievability: Indexed by employee's name and number.

Safeguards: Employee's payroll folders are maintained in a locked file cabinet.

Payroll office is locked during other than normal working hours.
Manpower Distribution records are maintained in a locked file cabinet.
Access to and use of all these records are limited to individual employee and those persons whose official duties require such access.

Retention and disposal: Payroll System Records common to all federal agencies are retained and disposed of in accordance with General Records Schedule (GRS) No. 2.

Manpower Distribution cards are maintained one fiscal year and then forwarded to the Federal Records Center (FRC) where they are destroyed after 2
All ADP reports are maintained one fiscal year and then additional years. destroyed except the year-end reports which are maintained three fiscal years and then forwarded to the FRC where they are destroyed in accordance with GRS No. 2.

System manager(s) and address: Chief, Management and Budget Division, DTS-82,

Department of Transportation,
Transportation Systems Center,
Kendall Square,
Cambridge, MA 02142.

Notification procedure: Information may be obtained from the System Manager.

Record access procedures: Requests from individuals should be addressed to the Systems Manager.

Contesting record procedures: An individual may gain access to his data by written request.

Contest of this data will be made to the System Manager.
If administrative resolvement is not satisfactory to the individual, appeals may be filed in writing with the Secretary of Transportation addressed to the General Counsel as follows:
Department of Transportation,
Office of the Secretary,
Office of the General Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Basic payroll and manpower documents (standard and TSC forms); duplicate copies provided by Personnel and Training Division; individual employee on whom record is maintained.

DOT/TSC 714.

System name: Health Unit Employee Medical Records. DOT/TSC.

System location:

Department of Transportation (DOT),
Transportation Systems Center (TSC),
Human Resources Management Division, DTS-84,
Health Unit/Building 1, 9th Floor,
Kendall Square,
Cambridge, MA 02142.

Categories of individuals covered by the system: TSC employees and support service contractor personnel.

Categories of records in the system: Individual Health Record Cards.

Individual Health Record Case Files.
Register of Visits.
Laser Eye Tests and Government Driver's Tests.
Pre-employment Physical Examinations, Health Justification Placement Records, Disability Retirement Examinations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The general purposes of these records are to maintain a medical history of any TSC employee, including contractor personnel, who receives services from the Health Unit; ensure applicants for licenses to drive Government Vechiles meet physical requirements; and lasers are not adversely affecting employee's eyes.

The routine uses of these records are to respond to requests from other Doctors, Universities and Insurance Companies, and to submit medical reports to the Department of Labor, Office of Employees Compensation, to meet requirements of the Occupational Safety and Health Act of 1970 and DOT/TSC Safety Program.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards, forms, logs and other paper records.

Retrievability: Indexed by employee's name.

Safeguards: Records are maintained in locked file cabinets and room secured when no one is there.

Information from records is provided only with consent of employee.

Retention and disposal: (In accordance with GRS No. 1):

Individual Health Record Cards are maintained until 6 years after date of last entry on the card.
Individual Health Record Case Files are maintained until 6 years after date of last papers in the file.
Registers of visits maintained until 2 years after last date in log or register.
Upon termination of employment with TSC, latest Laser Eye Tests and Government Driver's Tests records are combined with Health Record Case Files and disposed of as part of these files.
Pre-employment Physical Examinations, Health Justification Placement Records, and Disability Retirement Examinations become part of the official personnel folder (OPF) upon separation, and are transferred to the NPRS, St. Louis, MO., 30 days after separation, where they are disposed of in accordance with GRS No. 1, Item 1.

System manager(s) and address: Chief, Human Resources Management Division, DTS-84,

Department of Transportation,
Transportation Systems Center,
Kendall Square,
Cambridge, MA 02142.

Notification procedure: Information may be obtained through the Chief, Personnel and Training Division, from resident physician or nurse, TSC Health Unit.

Record access procedures: Request from individuals should be addressed to the System Manager.

Contesting record procedures: An individual may gain access to his data by written request.

Contest of this data will be made to the System Manager.
If administrative resolvement is not satisfactory to the individual, appeals may be filed in writing with the Secretary of Transportation addressed to the General Counsel as follows:
Department of Transportation,
Office of the Secretary,
Office of the General Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Employee.

Health Unit Doctor/Nurse.
TSC Safety Officer.

DOT/TSC 715.

System name: Bi-Weekly Personnel Status Report. DOT/TSC.

System location: Department of Transportation (DOT),

Transportation Systems Center (TSC),
Human Resources Management Division, DTS-84,
Kendall Square,
Cambridge, MA 02142.

Categories of individuals covered by the system: All TSC employees.

Categories of records in the system: Name, grade and title.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The general purpose of

this system is to dispense personnel management information in order to control billets.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: Chronologically.

Safeguards: Records are maintained in a cabinet.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Chief, Human Resources Management Division, DTS-84,

Department of Transportation,
Transportation Systems Center,
Kendall Square,
Cambridge, MA 02142.

Notification procedure: Information may be obtained from the System Manager.

Record access procedures: Requests from individuals should be addressed to the System Manager.

Contesting record procedures: An individual may gain access to his records by written request.

Contest of this data will be made to the System Manager.
If administrative resolvement is not satisfactory to the individual, appeals may be filed in writing with the Secretary of Transportation addressed to the General Counsel as follows:
Department of Transportation,
Office of the Secretary,
Office of the General Counsel,
400 7th Street, SW,
Washington, DC 20590.

Record source categories: Standard Form 50's are the source of the records.

DOT/TSC 716

System name: UMTA/Technology Sharing Mailing List. DOT/TSC.

System location: Department of Transportation (DOT),

Transportation Systems Center (TSC),
Office of Plans and Programs
Technology Sharing Office, DTS-151
Kendall Square
Cambridge, MA 02142

Categories of individuals covered by the system: Government officials and transportation professionals who have requested reports or have been selected by UMTA or TSC to receive reports and conference notifications.

Categories of records in the system: These records contain names, jobtitles, organizations, suborganizations and addresses. In addition, there are special categories which allow for entering the following information for each record in the data base: Organization Affiliation, Modal Information Need/Type of Document, and Subject Informational Need.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To identify target audiences who have a need for specific project results or who have expressed an interest in receiving copies of project documentation; and to disseminate programmatic results in an efficient and effective manner. Uses of special codes -- organizational affiliation, modal informational need, and subject informational need -- will allow for a more efficient selection of audiences for specific types of reports, will permit analyzses of information needs, and estimates of report quantities needed. To communicate plans for scheduled conferences to likely participants and disseminate conference proceedings if applicable. To prepare mailing labels. Records are subject to examination by federal officials concerned with the dissemination of programmatic results or conference notification, but are not disclosed to members of the public (except through publication in conference proceedings of names of individuals who actually participated in each conference).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in a computerized data base. Disc and tape records, paper copies of coding forms, and listings of specific target groups identified to receive a publication are maintained at the U.S. Department of Transportation's Transportation Systems Center (TSC). Upon request, a listing of the target audience for a specific publication may be forwarded to the appropriate federal official responsible for the dissemination of the report.

Retrievability: By any attribute contained in the data base -- alphabetically by name, address or special attribute codes.

Safeguards: Access is restricted to UMTA and TSC officials who are involved in the dissemination of programmatic results and/or notification of planned conferences. Terminal operators or contractors, if designated by TSC, may access the system to enter data, generate edit checks to assure data has been entered correctly, and generate paper copies of specific audiences for examination by a federal official. Access to the electronic data base is controlled by the computer telephone number, and name of individual responsible for the data base. Internally, the system is software protected so that people without these combinations of codes cannot even examine the data, let alone use it or modify it. Names are removed when the Postal Service reports an incorrect address with no forwarding address or when individuals request removal.

Retention and disposal: Records are kept on tape and disc. Deleted names and addresses are discarded completely.

System manager(s) and address: Chief, Technology Sharing Office, dTS-151,

Department of Transportation
Transportation Systems Center
Kendall Square
Cambridge, MA 02142

Notification procedure: Individuals may contact system manager to confirm whether or not their name and address is contained in the system.

Record access procedures: Same as notification procedure.

Contesting record procedures: Contest of this data will be made to the System Manager. If administrative resolvement is not satisfactory to the individual, appeals may be filed in writing with the Secretary of Transportation addressed to the General Counsel as follows:

Department of Transportation
Office of the Secretary
Office of the General Counsel
400 7th Street, SW
Washington, DC 20590

Record source categories: Names of individuals who attended conferences and individuals who have requested conference proceedings. Names of individuals who have requested copies of publications pertaining to specific projects. Various Departmental mailing lists such as: Transit Properties, Planning Agencies, Transportation and Planning Associations.

DOT/UMTA 175.

System name: Personnel Convenience Files. DOT/UMTA.

System location: Department of Transportation (DOT),

Urban Mass Transportation Administration (UMTA),
Systems are located at:
Region I,
Regional Director, UMTA,
c/o Transportation Systems Center,
Technology Building
55 Broadway,
Cambridge, MA 02142.
Region II,
Regional Director, UMTA,
26 Federal Plaza, Suite 1811,
New York, NY 10007.
Region III,
Regional Director, UMTA,
434 Walnut Street, Suite 1010,
Philadelphia, PA 19106.
Region IV,
Regional Director, UMTA,
1720 Peachtree Road, NW, Suite 400,
Atlanta, GA 30309.
Region V,
Regional Director, UMTA,
300 South Wacker Drive - Suite 1740,
Chicago, IL 60606.
Region VI,
Regional Director, UMTA,
819 Taylor Street, Suite 9A32,
Fort Worth, TX 76102.
Region VII,
Regional Director, UMTA,
6301 Rock Hill Road - Suite 303,
Kansas City, MO 64131.
Region VIII,
Regional Director, UMTA,

Prudential Plaza - Suite 1822,
1050 17th Street,
Denver, CO 80265.
Region IX,
Regional Director, UMTA,
Two Embarcadero Center, Suite 620
San Francisco, CA 94111,
Region X,
Regional Director, UMTA,
915 Second Avenue,
Suite 3142, Federal Building,
Seattle, WA 98174.

Categories of individuals covered by the system: UMTA employees.

Categories of records in the system: Standard Form 171.

Resumes.
Personnel Action Forms.
Position Descriptions.
Performance evaluation forms.
Written performance standards.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Personal Use.

Personnel Reference Manual.
Statistical Information.
Technical Information.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are originals or copies of documents.

Retrievability: Retrieved by name.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Retained until termination of employment and then shredded.

System manager(s) and address: Appropriate Associate Administrator or Regional Office (addresses same as in 'System Location').

Notification procedure: Inquiries are addressed to the System Manager (addresses same as in 'System Location').

Record access procedures: Access is permitted by written or personal request.

Direct control is maintained by the System Manager.

Contesting record procedures: Contest of these records is at the Headquarters' level, addressed as follows:

Department of Transportation,
Urban Mass Transportation Administration,
Attention: Office of Personnel, UAD-60,
400 7th Street, SW,
Washington, DC 20590. Unsatisfactory resolvement by the individual may be appealed in writing to the Secretary of Transportation addressed as follows:
Department of Transportation,
Urban Mass Transportation Administration
Office of the Administrator,
400 7th Street, SW, Room 9324,
Washington, DC 20590.

Record source categories: Personnel Action Forms as completed by the employee or prospective employee.

DOT/UMTA 176.

System name: Blood-Donor File. DOT/UMTA.

System location: Department of Transportation (DOT),

Urban Mass Trasnportation Administration (UMTA),
Office of Administration,
Administrative Services Division, UAD-40,
400 7th Street, SW, Room 9223,
Washington, DC 20590.

Categories of individuals covered by the system: UMTA employees.

Categories of records in the system: Record of employee's donation to UMTA/Red Cross Blood Program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Computing participation in Blood Program identifying donors by blood types.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained by telephone cardex.

Retrievability: Access by name.

Safeguards: Maintained in locked office during non-work hours.

Retention and disposal: Only information on current employees is maintained. Card and information slips are destroyed in the year following blood quota/program year.

System manager(s) and address: UMTA Blood Program Coordinator (Administrative Services Director, address as above in 'System Location').

Notification procedure: Verbal notification from System Manager.

Record access procedures: Upon verbal request to System Manager.

Contesting record procedures: Record access not contested. Contact System Manager to contest content.

Record source categories: Red Cross Donor Registration Forms as completed by UMTA employee.

DOT/UMTA 177.

System name: UMTA-Sponsored Reports Author File. DOT/UMTA.

System location: Department of Transportation (DOT),

Urban Mass Trasnsportation Administration (UMTA),
Transit Research Information Center,
Office of Transit Management,
Transportation and Management Demonstration,
Human Resources and Technical Development Manager, UTM-50,
2100 2nd Street, SW,
Washington, DC 20590.

Categories of individuals covered by the system: Contributing authors of UMTA sponsored reports.

Categories of records in the system: Author's name and address of organization at time of report submission to UMTA.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For technical information dissemination.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on card file.

Retrievability: Access by author's name.

Access by author's organization.
Access by report title.
Access by project number.
Access by geographical location of research.

Safeguards: Available for use under control of System Manager.

Card files are maintained in a locked office.

Retention and disposal: Retained as archive files of UMTA-sponsored report information.

System manager(s) and address: Human Resources and Technical Development Manager, UTM-50, (address as in 'System Location' above).

Notification procedure: Inquiries are addressed to the System Manager, UTM-50, (address as in 'System Location ' above).

Record access procedures: Access is permitted by written or personal request. Direct control is maintained by the System Manager.

Contesting record procedures: Contest of these records is at the Headquarter's level, (i.e., to the System Manager).

Unsatisfactory resolvement by the individual may be appealed in writing to the Secretary of Transportation addressed as follows:
Department of Transportation,
Urban Mass Transportation Administration,
Office of the Administrator,
400 7th Street, SW, Room 9324,
Washington, DC 20590.

Record source categories: Authors of UMTA-sponsored reports.

DOT/UMTA 178.

System name: Minority Recruitment File. DOT/UMTA. 4

Department of Transportation (DOT),
Urban Mass Transportation Administration (UMTA).
Office of Civil Rights,
2100 2nd Street, SW, Room 6204,
Washington, DC 20590.

Categories of individuals covered by the system: Minority applicants interested in UMTA employment.

Categories of records in the system: Resumes and Personal Qualifications Statements (S.F. 171).

Card file summarizing general information on each applicant.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referrals for UMTA position vacancies.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in original and photocopied form.

Retrievability: Retrieved by name or position classification.

Safeguards: Source documents are maintained in the Office of Civil Rights storage facilities.

Only persons authorized by the Director of Civil Rights or the Chief, Division of Internal Programs, are permitted access to these files.

Retention and disposal: Records held for a year's period at which time applicants are requested to update their forms; those forms updated are retained and the forms of those non-responding destroyed.

System manager(s) and address: Chief, Division of Internal Programs, UCR-20,

Department of Transportation,
Urban Mass Transportation Administration,
Office of Civil Rights,
2100 2nd Street, SW, Room 6204,
Washington, DC 20590.

Notification procedure: Inquiries are addressed to the System Manager.

Record access procedures: Access is permitted by written or personal request. Direct control is maintained by the System Manager.

Contesting record procedures: Contest of these records is at Headquarter's level (i.e., to the System Manager at the address shown in 'System Manager' above).

Unsatisfactory resolvement by the individual may be appealed in writing to the Secretary of Transportation addressed as follows:
Department of Transportation,
Urban Mass Transportation Administration,
Office of the Administrator,
400 7th Street, SW, Room 9324,
Washington, DC 20590.

Record source categories: Resumes and Personal Qualifications Statements (S.F. 171) submitted by applicants.

Resumes and Personal Qualifications Statements (S.F. 171) submitted by the DOT Office of Civil Rights, DOT modal administrations, and other Federal agencies.
Established recruitment sources, e.g., community organizations, national civil rights groups, professional societies, colleges and universities, etc.

DOT/UMTA 179.

System name: Application for U.S. Government Motor Vehicles Operator's Identification Card. DOT/UMTA.

System location: Department of Transportation (DOT),

Urban Mass Transportation Administration (UMTA),
Personnel Office, UAD-60,
400 7th Street, SW,
Washington, DC 20590.

Categories of individuals covered by the system: All UMTA employees who apply for a Government Motor Vehicle Operator's license.

Categories of records in the system: Applications for Motor Vehicle Operator's license and related documents.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To verify applicants' qualifications.

To issue I.D. Cards.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in a metal file cabinet.

Retrievability: The system is maintained by individual's name.

Safeguards: File cabinet is in records room, with approved security lock on door.

Retention and disposal: Records are retained unitil the expiration of three year period or until employee leaves UMTA.

Documents destroyed by tearing or shredding.

System manager(s) and address: Director, Personnel Division, UAD-60,

Department of Transoportation,
Urban Mass Transportation Administration,
400 7th Street, SW, Room 4116,
Washington, DC 20590.

Notification procedure: Inquiries should be addressed to the System Manager.

Record access procedures: If requestor applies in person be prepared to furnish adequate identification.

Written requests should be sent to the System Manager.

Contesting record procedures: Should be submitted to the System Manager.

Record source categories: Past driving record as to accidents, arrests, citations and physical condition.

DOT/UMTA 180.

System name: Occupational Safety and Health Accident Reporting System. DOT/UMTA.

System location: Department of Transportation (DOT),

Urban Mass Transportation Administration (UMTA),
Personnel Office, UAD-60,
400 7th Street, SW, Room 4116,
Washington, DC 20590.

Categories of individuals covered by the system: Any UMTA employee involved in an accident while on duty status which results in injury to an individual or property damage.

Categories of records in the system: This system contains documents pertaining to occupational accidents involving injury to employees and/or non-employees. It will also contain documents pertaining to accidents involving employees of UMTA when no injury is involved but property damage has occurred.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Accumulate accident information and statistics per DOT Order.

Develop accident cause trends.
For accident reports.
For accident prevention program.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in a metal file cabinet.

Retrievability: Folders are in alphabetic order by name.

Safeguards: File cabinets are located in records room which has a security approved lock on door.

Retention and disposal: Records are maintained for five years and then destroyed by tearing or shredding.

System manager(s) and address: Director, Personnel Division, UAD-60,

Department of Transportation,
Urban Mass Transportation Administration,
400 7th Street, SW, Room 4116,
Washington, DC 20590.

Notification procedure: Inquiries should be addressed to the System Manager at the address above.

If in person, proper identification will be required.
If written, notrarized signature and social security number of the individual involved in the accident must be presented.

Record access procedures: Same as 'Notification Procedure.'

Contesting record procedures: Same as 'Notification Procedure.'

Record source categories: Individuals involved in accidents.

Witnesses to accidents.
Supervisor of the UMTA employee involved in an accident.
Doctors of medical facility where treated.

DOT/UMTA 181.

System name: Attendees Names and Addressees for R&D Priorities Conference. DOT/UMTA.

System location: UMTA Office of Research and Development and American Public Transit Association (acting as contractor to UMTA).

Categories of individuals covered by the system: Persons attending first R&D Priorities Conference in February 1976; those to be invited to the second and subsequent annual conferences, and those to whom copies of the proceedings of each conference are to be sent.

Categories of records in the system: These records contain names, organizational affiliation and addresses only.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Including categories of users and the purposes of such uses:

To communicate plans for planned conferences to likely participants.

To distribute to participants and those who have requested, or are likely to benefit from, informational materials, proceedings, and other documents related to UMTA's research, development and demonstration activity.

Records are subject to examination by federal officials concerned with the dissemination of research and development information, but are not disclosed to members of the public (except through publication in the proceedings of names of individuals who actually participate in each conference).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper documents in file system.

Retrievability: Alphabetically by name.

Safeguards: Access is restricted to officials of UMTA and APTA involved in planning and disseminating information about conferences.

Retention and disposal: Records are maintained in current status. Deleted names and addresses are discarded completely. The system itself will be discarded within two years after the last R&D priorities conference of the current series has been concluded.

System manager(s) and address: Official responsible is Executive Assistant to Associate Administrator for Research and Development,

URD-3,
UMTA,
Washington, DC 20590.

Notification procedure: Individual may contact the systems manager to confirm whether or not the system contains a record on them.

Record access procedures: Same as Notification Procedure.

Contesting record procedures: Content of these records may be settled with the system manager. If this is unsatisfactory to the individual, the person may appeal in writing to:

Privacy Act Officer, UAD-60
Urban Mass Transportation Administration
Room 4116, Nassif Building
400 7th Street, S. W.
Washington, D. C. 20690

Record source categories: Names of individuals who have attended past R & D Priorities Conferences and individuals who have requested copies of the proceedings.

DOT/UMTA 182

System name: New Systems Survey Response Forms.

System location: U.S. Department of Transportation

Urban Mass Transportation
Office of Socio-Economic and Special Projects, UTD-10
2100 2nd Street, S.W.
Washington, D.C. 20590

Categories of individuals covered by the system: Respondents to surveys.

Categories of records in the system: Completed survey response forms.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Statistical purposes only. (See also Prefatory Statement of General Routine Uses).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are original completed Response Forms, or copies of completed Response Forms.

Retrievability: Retrieved by name or by selected attributes.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Retained until statistical abstracting is completed, then destroyed.

System manager(s) and address: Director, Office of Socio-Economic and Special Projects, UTD-10

Office of Technology Development and Deployment
Urban Mass Transportation Administration
2100 2nd Street, S.W.
Washington, D.C. 20590.

Notification procedure: Inquiries are addressed to the System Manager.

Record access procedures: Access is permitted by written or personal request.

Contesting record procedures: Contest of these records is to the System Manager. Unsatisfactory resolution by the individual may be appealed in writing to the UMTA Privacy Act Coordinator, addressed as follows:

UMTA Privacy Act Coordinator
Urban Mass Transportation Administration
400 7th Street, S.W.
Washington, D.C. 20590.

Record source categories: Response Forms completed by survey respondents.

DOT/UMTA 190.

System name: Employee Travel Records. DOT/UMTA.

System location: Department of Transportation (DOT),

Urban Mass Transportation Administration (UMTA),
Office of Financial Management,
Accounting Division,
2100 2nd Street, SW,
Washington, DC 20590.

Categories of individuals covered by the system: All UMTA employees.

Private persons, congressional committee members or other persons issued invitational travel orders to confer on government matters.

Categories of records in the system: Individual travel folders.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Maintain accounting records.

Analysis of travel trends.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in a file cabinet secured with lock and key.

Retrievability: System is indexed by name.

Safeguards: Individuals requesting individual travel folders are screened by Accounting Branch personnel.

Records are maintained by Accounting Branch personnel in secured file.

Retention and disposal: Retained three years, then forwarded to Federal Records Center with other accounting records.

System manager(s) and address: Fiscal Officer, Accounting Branch,

Department of Transportation,
Urban Mass Transportation Administration,
2100 2nd Street, SW, Room 6613,
Washington, DC 20590.

Notification procedure: Individuals may contact the System Manager to confirm whether or not the system contains a record on them.

Record access procedures: An individual may gain access to his records by request to the System Manager.

Contesting record procedures: Content of these records may be settled with the System Manager. If this is unsatisfactory to the individual, the person may appeal in writing to the Secretary of Transportation addressed to the following:

Department of Transportation,
Urban Mass Transportation Administration,
Office of the Chief Counsel,
400 7th Street, SW, Room 9320,
Washington, DC 20590.

Record source categories: Travel orders, individual travel vouchers.

DOT/UMTA 191.

System name: Travel Advance File. DOT/UMTA.

System location: Department of Transportation (DOT),

Urban Mass Transportation Administration (UMTA),
Office of Financial Management,
Accounting Division,
2100 2nd Street, SW,
Washington, DC 20590.

Categories of individuals covered by the system: Recipients of travel advances.

Categories of records in the system: Records of travel advances and liquidation and repayment thereof.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Maintain accounting records.

Ensure collection of amounts due the United States.
See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on 5 x 8 card form.

Retrievability: By name.

Safeguards: Records are maintained by Accounting Branch personnel in locked file.

Retention and disposal: Retained three years then forwarded to Federal Records Center with other accounting records.

System manager(s) and address: Fiscal Officer, Accounting Branch,

Department of Transportation,
Urban Mass Transportation Administration,
2100 2nd Street, SW, Room 6613,
Washington, DC 20590.

Notification procedure: Individuals may contact the System Manager to confirm whether or not the system contains records on them.

Record access procedures: An individual may gain access to his records by request to the System Manager.

Contesting record procedures: Content of these records may be settled with the System Manager. If this is unsatisfactory to the individual, the person may appeal in writing to the Secretary of Transportation, addressed to the following:

Department of Transportation,
Urban Mass Transportation Administration,
Office of the Chief Counsel,
400 7th Street, SW, Room 9320,
Washington, DC 20590.

Record source categories: Travel advance card signed by individual.

DOT/UMTA 192.

System name: Urban Transportation Planning System (UTPS) Address File. DOT/UMTA.

System location: Department of Transportation (DOT),

Urban Mass Transportation Administration (UMTA),
Office of Transit Planning,
Planning Methodology and Technical Support Division, UTP-40,
400 7th Street, SW, Room 9311,
Washington, DC 20590.

Categories of individuals covered by the system: UTPS users.

Persons indicating continuing interest in UTPS developments.
Federal Highway Administration (FHWA) Planning Package users.

Categories of records in the system: Individual's name, business address, telephone number, UTPS or FHWA Planning Package version date, UTPS course/symposium/conference attendance.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For technical information dissemination.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in a computer file.

Retrievability: Access by computer terminal by any item.

Safeguards: Available for use under the control of the System Manager.

Computer file is protected by account number and code words.

Retention and disposal: Records are retained until notified that individual no longer desires information and then record is destroyed.

System manager(s) and address: Director, Planning Methodology and Technical Support Division, UTP-40,

Department of Transportation,
Urban Mass Transportation Administration,
Office of Transit Planning,
400 7th Street, SW, Room 9311,
Washington, DC 20590.

Notification procedure: Inquiries are addressed to the System Manager, UTP-40 (address same as above).

Record access procedures: Direct control is maintained by the System Manager.

Contesting record procedures: Contest of these records is at Headquarter's level (i.e. the System Manager). Individual may appeal adverse decision to the Secretary of Transportation, addressed as follows:

Department of Transportation,
Urban Mass Transportation Administration,
Office of the Administrator,
400 7th Street, SW, Room 9324,
Washington, DC 20590.

Record source categories: UTPS order forms, UTPS course registration forms, letter and/or verbal request to be place on mailing list.

DOT/UMTA 193.

System name: Docket. DOT/UMTA.

System location: Department of Transportation (DOT),

Urban Mass Transportation Administration (UMTA),
Office of the Chief Counsel,
400 7th Street, SW, Room 9320.
Washington, DC 20590.

Categories of individuals covered by the system: Individuals who have commented on notices of UMTA appearing in the Federal Register; authors of reports which are added to the Docket as background information.

Categories of records in the system: Summary of the nature of the comment or the report, date written and filed, author affiliation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To gather information in response to rules promulgated by UMTA. Users are both UMTA staff members and the public.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Legal-size file folders stored in file cabinets.

Retrievability: By name and Docket number assigned at the time of receipt.

Safeguards: None required. Publically available file.

Retention and disposal: Indefinite.

System manager(s) and address: Docket Clerk, Office of the Chief Counsel,

Department of Transportation,
Urban Mass Transportation Administration,
400 7th Street, SW, Room 9300,
Washington, DC 20590.

Notification procedure: Same as 'System Manager.'

Record access procedures: Same as 'System Manager.'

Contesting record procedures: Same as 'System Manager.'

Record source categories: Correspondence freely sent by the public to UMTA.

DOT/UMTA 194.

System name: Litigation and Claims Files. DOT/UMTA.

System location: Department of Transportation (DOT),

Urban Mass Transportation Administration (UMTA),
Office of the Chief Counsel,
400 7th Street, SW, Room, 9320,
Washington, DC 20590.

Categories of individuals covered by the system: Persons who are involved in litigation or claims actions.

Categories of records in the system: Litigation and claim pleadings, discovery material, related documents (including background data on individuals involved), memoranda, correspondence, and other material necessary to respond to claims or prepare for litigation or hearings.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The documents are produced or used in and for litigation and claims.

These documents are disclosed to the Department of Justice.
See Prefatory Statement for Genaral Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Legal-size file folders stored in lockable and unlockable file cabinets and individual attorney's offices.

Retrievability: Retrieved by caption of the particular litigation.

Safeguards: Data from these files are retrievable only by persons within the Office of the Chief Counsel.

Retention and disposal: Litigation files are kept for two years after case is closed, then sent to Federal Records Center. All other records in the system are retained indefinitely.

System manager(s) and address: Chief Counsel,

Department of Transportation,
Urban Mass Transportation Administration,
400 7th Street, SW, Room 9320,
Washington, DC 20590.

Notification procedure: Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the System Manager.

Record access procedures: Individuals who desire access to the information about themselves in this system of records should contact or address their inquiries to the System Manager.

Contesting record procedures: Individuals who desire to contest information about themselves contained in this system of records should contact or address their inquiries to the System Manager.

Record source categories: Federal courts, individuals and their attorneys, UMTA records, litigation files, etc.

DOT/UMTA 195.

System name: Confidential Statement of Employment and Financial Interests. DOT/UMTA.

System location: Department of Transportation, (DOT),

Urban Mass Transportation Administration, (UMTA),
Office of the Chief Counsel,
400 7th Street, SW, Room 9320,
Washington, DC 20590.

Categories of individuals covered by the system: Employees of the Urban Mass Transportation Administration in supervisory positions where a conflict of interest or the appearance of a conflict of interest might occur. Also included in this category are consultants and experts of the Urban Mass Transportation Administration.

Categories of records in the system: Information on employment and financial interests and debts.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information to be furnished is required by Executive Order 11222 and the requlations of the Civil Service Commission issued thereunder and may not be disclosed except as the Commission or the agency head may determine.

The purpose of the use of this information is to avoid a conflict of interest or the appearance of a conflict of interest in UMTA employees.

See Prefatory Statement of General Routine Uses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Legal size folders.

Retrievability: Indexed by name in alphabetical sequence.

Safeguards: Records are stored in locked file cabinet.

Retention and disposal: Records are kept 3 years and then transferred to Federal Records Center for 6 years.

System manager(s) and address: Chief Counsel,

Department of Transportation,
Urban Mass Transportation Administration,
Office of the Chief Counsel,
400 7th Street, SW, Room 9320,
Washington, DC 20590.

Notification procedure: Department of Transportation,

Urban Mass Transportation Administration,
Office of the Chief Counsel,
400 7th Street, SW, Room 9320,
Washington, DC 20590.

Inquiries may be addressed to the Chief Counsel either in person or in writing. If written the individual must provide a notarized signature.

Record access procedures: Access to records requires the individual to contact in person or write the Chief Counsel at the address in 'Notification Procedure.'

Contesting record procedures: Contest of a record is also through the Chief Counsel.

Record source categories: Statements of employment and financial interests, creditors, interests in real property are submitted by employees and consultants of the Urban Mass Transpor- tation Administration.

Initial requests for submission of statements are through the Personnel Division, Office of Administration, Urban Mass Transportation Administration.

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federal register

Thursday
February 21, 1980

Part III

Department of Transportation

Coast Guard

Electronic Relative Motion Analyzer

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 164

[CGD 79-148]

Electronic Relative Motion Analyzer

AGENCY: Coast Guard, DOT

ACTION: Proposed rule.

SUMMARY: The Coast Guard proposes to require all self-propelled vessels of 10,000 gross tons or more that carry oil or liquid hazardous materials, in bulk that are U.S. vessels or call at a U.S. port to have an electronic relative motion analyzer installed by July 1, 1982. This requirement is mandated by the Port and Tanker Safety Act of 1978 (Pub. L. 95-474). It is intended to help minimize the occurrence of collisions involving those vessels which may have the potential of creating environmental harm.

DATES: Comments must be received on or before April 7, 1980.

ADDRESSES: Comments should be submitted to Commandant (G-CMC/TP24) (CGD 79-148), U.S. Coast Guard, Washington, D.C. 20593. Comments may be delivered to and will be available for inspection or copying at the Office of the Executive Secretary, Marine Safety Council (G-CMC/TP24), Room 2418, U.S. Coast Guard Headquarters, 2100 Second Street, S.W., Washington, D.C. 20593 (202) 426-1477. Normal office hours are 7:30 A.M. to 4:30 P.M., Monday through Thursday.

FOR FURTHER INFORMATION CONTACT: Mr. Fred Schwer, Project Manager, Office of Marine Environment and Systems (G-WLE-4/11), Room 1608, Department of Transportation, U.S. Coast Guard Headquarters, 2100 Second Street, S.W., Washington, D.C. 20593, (202) 426-4958.

SUPPLEMENTARY INFORMATION: The public is invited to participate in this proposed rulemaking by submitting written views, data, or arguments. Comments should include the name and address of the person making them, identify this notice (CGD 79-148) and the specific section of the proposal to which each comment applies, and give the reasons for the comments. If an acknowledgement that a comment has been received is desired, a stamped, self-addressed postcard or envelope should be enclosed.

All comments received before the expiration of the comment period will be considered before final action is taken on this proposal. No public hearing is planned, but one may be held if written requests are received and it appears that a hearing will be beneficial.

Drafting Information

The principal persons involved in drafting this document are: Mr. Fred Schwer, Office of Marine Environment and Systems, Project Manager, and Lt. Jack Orchard, Office of Chief Counsel, Project Attorney.

Discussion

Terminology

An "Electronic Relative Motion Analyzer" (ERMA) is a device designed to assist a ship's bridge watch officer in evaluating the patterns of radar "returns" of an object to determine the speed and direction of motion of the object. This information in turn is used by him to evaluate the threat which the object may pose to his own ship and to plan any evasive action which might be required.

Many terms have been used to describe this type of equipment. The United States Maritime Administration (MARAD) refers to their standard device as a "Collision Avoidance System." "Collision Avoidance Aid" is a generic term often used to describe the entire range of devices, from a simple "line of bearing" cursor to a fully automatic computer-controlled machine. Many people object to the use of the words "Collision Avoidance" in this context, quite correctly pointing out that the equipment does not prevent collisions, but only provides the watch officer with information so that he may do so. The Intergovernmental Maritime Consultative Organization (IMCO), a specialized agency of the United Nations, uses the term "Automatic Radar Plotting Aid (ARPA)" to describe, in its operational standard, a similar device. Because this notice is based on the IMCO standard, it uses the IMCO terminology.

Background

A notice of proposed rulemaking on this subject was published on May 16, 1977 (42 FR 24871). Public hearings were held in San Diego, California, on June 16, 1977, and in Washington, DC on June 21, 1977. The proposal was withdrawn on July 24, 1978 (43 FR 32112). As stated in the withdrawal notice, the proposal was withdrawn to encourage international action on the matter and the Coast Guard would "* * * reevaluate the need for a U.S. rulemaking * * * when the international body has completed its work."

Congress, however, in October 1978, enacted the Port and Tanker Safety Act of 1978 (PTSA) (Pub. L. 95-474). Section 5(7)(J)(ii) of the Act requires certain vessels of 10,000 gross tons or more to be equipped with an ARPA that is "* * * at least functionally equivalent * * *" to the MARAD standard (i.e., the "Collision Avoidance System"). In 1979, an excellent, comprehensive operational performance standard was developed, with U.S. participation, by a working group of IMCO. This standard has been evaluated by MARAD and is considered by that organization to be "at least functionally equivalent to the MARAD specification except in one area, namely 'Operational Warnings'." Paragraphs 3.5.1 and 3.5.2 of the IMCO ARPA standard specify "visual and/or audible" signals. The MARAD standard requires both visual and audible alarm signals for possible threats. In view of this determination, this proposal adopts the IMCO ARPA standard except that, to attain functional equivalence with the MARAD standard, the standard proposed herein would require both signals.

Paragraph 164.38(b) provides that devices installed before January 1984 for tankers of 40,000 grt or more, or before January 1985 for tankers of 10,000 but less than 40,000 grt, may comply with the MARAD specification rather than the IMCO standard. This equipment can be used until 1991.

Implementation

The PTSA requires all self-propelled vessels which carry oil or hazardous materials in bulk as cargo or in residue, which are U.S. vessels or foreign flag vessels which call at a United States port or which transfer oil or hazardous materials in any port or place subject to the jurisdiction of the United States, and which are of 10,000 gross tons or above, to have an ARPA installed not later than July 1, 1982, "* * * or such earlier date as agreed to internationally and accepted by the United States." An earlier date was not agreed to internationally. Rather, a proposed amendment to the Safety of Life at Sea (SOLAS) Convention, 1974, as amended, suggests adoption of the IMCO standard for tankers of 40,000 gross tons or more not later than January 1, 1984, and on tankers 10,000 gross tons or more not later than January 1, 1985. Consequently, the PTSA implementation date of July 1, 1982, applies to this rulemaking. It must be noted that this rulemaking applies to each self-propelled vessel which carries oil or hazardous material in bulk as cargo or in residue, and is not limited to tankers which are built or adapted primarily to carry oil or hazardous materials in bulk in the main cargo spaces.

Impact

It is estimated that 1500 vessels, calling at U.S. ports, will be affected by this rule. Of these, about 300 have complying equipment already installed. At an average cost of $70,000, the total purchase cost of the devices will be about $84,000,000. It is further estimated that U.S. manufacturers will have a 70% share in this market. Because U.S. flag vessels represent only about 17% of the vessels calling at U.S. ports, the rule could result in a net inflow of about $49,000,000 in foreign exchange to U.S.

Although the average cost of $70,000 is high, it must be noted that this sum represents only about 1% to 3% of the annual operating cost of typical vessels subject to this proposed rule and will increase the capital investment in the vessel by about one tenth of one percent. Moreover, depreciating the equipment over a 10 year period will result in a negligible amount attribtuable to the annual operating cost. Correspondingly, the pass through cost to the consumer will be negligible. Benefits accruing include a possible 10% reduction in vessel collisions and rammings.

This proposal has been reviewed under the Department of Transportation's "Regulatory Policies and Procedures" (44 FR 11034, February 26, 1979). A draft evaluation has been prepared and is included in the public docket.

In consideration of the foregoing, it is proposed to amend Part 164 of Chapter I of Title 33, Code of Federal Regulations as follows:

By adding § 164.38 and appendices A and B to that section to read as follows:

§ 164.38 Automatic radar plotting aids (ARPA).

(a) Each self-propelled vessel, except a public vessel, of 10,000 gross tons or more carrying oil or any hazardous material in bulk as cargo or in residue that is a U.S. vessel or operates on or enters the navigable waters of the United States, or which transfers oil or hazardous materials in any port or place subject to the jurisdiction of the United States, must, not later than July 1, 1982, be fitted with an Automatic Radar Plotting Aid which:

(1) Complies with the standard for such devices adopted by the Intergovernmental Maritime Consultative Organization in its "Operational Standards for Automatic Radar Plotting Aids" (See Appendix A);

(2) Provides both visual and audible warnings, described in paragraphs 3.5.1 and 3.5.2; and

(3) Except as allowed by paragraph (b) of this section, has a permanently affixed label containing—

(i) The name and address of the manufacturer; and

(ii) The following statement: "This device was designed and manufactured to comply with the Intergovernmental Maritime Consultative Organization's 'Operational Standards for Automatic Radar Plotting Devices'."

(b)(1) In lieu of the device required by paragraph (a), Automatic Radar Plotting Aids fitted on vessels of 40,000 gross tons or more prior to 1 January 1984, or on vessels of 10,000 but less than 40,000 gross tons prior to January 1985, which do not fully conform to the standard adopted by the Intergovernmental Maritime Consultative Organization but are certified by the manufacturer to comply with the U.S. Maritime Administration's "Collision Avoidance System Specification" (See Appendix B), may be retained until 1 January 1991.

(2) The devices allowed under this paragraph must have a permanently affixed label containing—

(i) The name and address of the manufacturer; and

(ii) The following statement: "This device was designed and manufactured to comply with the U.S. Maritime Administration's 'Collision Avoidance System Specification'."

Appendix A.—Performance Standards For Automatic Radar Plotting Aids (ARPA)

1 INTRODUCTION

1.1 The Automatic Radar Plotting Aids (ARPA) required by Regulation 12, Chapter V of the 1974 SOLAS Convention, as amended,[1] should, in order to improve the standard of collision avoidance at sea:

.1 Reduce the work-load of observers by enabling them to automatically obtain information so that they can perform as well with multiple targets as they can by manually plotting a single target; and

.2 Provide continuous, accurate and rapid situation evaluation.

1.2 In addition to the General Requirements for Electronic Navigational Aids (Resolution A. 281 (VIII)), the ARPA should comply with the following minimum performance standards.

2 DEFINITIONS

2.1 Definitions of terms in these performance standards are given in Annex 1.

3 PERFORMANCE STANDARDS

3.1 *Detection.*

3.1.1 Where a separate facility is provided for detection of targets, other than by the radar observer, it should have a performance not inferior to that which could be obtained by the use of the radar display.

3.2 *Acquisition.*

3.2.1 Target acquisition may be manual or automatic. However, there should always be a facility to provide for manual acquisition and cancellation. ARPA with automatic acquisition should have a facility to suppress acquisition in certain areas. On any range scale where acquisition is suppressed over a certain area, the area of acquisition should be indicated on the display.

3.2.2 Automatic or manual acquisition should have a performance not inferior to that which could be obtained by the user of the radar display.

3.3 *Tracking.*

3.3.1 The ARPA should be able to automatically track, process, simultaneously display and continuously update the information on at least:

.1 20 targets, if automatic acquisition is provided, whether automatically or manually acquired; or

.2 10 targets, if only manual acquisition is provided.

3.3.2 If automatic acquisition is provided, description of the criteria of selection of targets for tracking should be provided to the user. If the ARPA does not track all targets visible on the display, targets which are being tracked should be clearly indicated on the display. The reliability of tracking should not be less than that obtainable using manual recording of successive target positions obtained from the radar display.

3.3.3 Provided the target is not subject to target swap, the ARPA should continue to track an acquired target which is clearly distinguishable on the display for 5 out of 10 consecutive scans.

3.3.4 The possibility of tracking errors, including target swap, should be minimized by ARPA design. A qualitative description of the effects of error sources on the automatic tracking and corresponding errors should be provided to the user, including the effects of low signal to noise and low signal to clutter ratios caused by sea returns, rain, snow, low clouds and non-synchronous emissions.

3.3.5 The ARPA should be able to display on request at least four equally time-spaced past positions of any targets being tracked over a period of at least eight minutes.

3.4 *Display.*

3.4.1 The display may be a separate or integral part of the ship's radar. However, the ARPA display should include all the data required to be provided by a radar display in accordance with the performance standards for navigational radar equipment adopted by the Organization.

3.4.2 The design should be such that any malfunction of ARPA parts producing data additional to information to be produced by the radar as required by Resolution A.222(VII) should not affect the integrity of the basic radar presentation.

3.4.3 The size of the display on which ARPA information is presented should have effective display diameter of a least 340 mm.

3.4.4 The ARPA facilities should be available on at least the following range scales:

.1 12 or 16 miles;

.2 3 or 4 miles.

3.4.5 There should be a positive indication of the range scale in use.

3.4.6 The ARPA should be capable of operating with a relative motion display with "north-up" and either "head-up" or "course-up" azimuth stabilization. In addition, the

[1] This amendment has not yet been ratified.

ARPA may also provide for a true motion display. If true motion is provided, the operator should be able to select for his display either true or relative motion. There should be a positive indication of the display mode and orientation in use.

3.4.7 The course and speed information generated by the ARPA for acquired targets should be displayed in a vector or graphic form which clearly indicates the target's predicted motion. In this regard:

.1 ARPA presenting predicted information in vector form only should have the option of both true and relative vectors;

.2 An ARPA which is capable of presenting target course and speed information in graphic form, should also, on request, provide the target's true and/or relative vector;

.3 Vectors displayed should be either time adjustable or have a fixed time-scale;

.4 A positive indication of the time-scale of the vector in use should be given.

3.4.8 The ARPA information should not obscure radar information in such a manner as to degrade the process of detecting targets. The Display of ARPA data should be under the control of the radar observer. It should be possible to cancel the display of unwanted ARPA data.

3.4.9. Means should be provided to adjust independently the brilliance of the ARPA data and radar data, including complete elimination of the ARPA data.

3.4.10 The method of presentation should ensure that the ARPA data is clearly visible in general to more than one observer in the conditions of light normally experienced on the bridge of a ship by day and by night. Screening may be provided to shade the display from sunlight but not to the extent that it will impair the observer's ability to maintain a proper lookout. Facilities to adjust the brightness should be provided.

3.4.11 Provisions should be made to obtain quickly the range and bearing of any object which appears on the ARPA display.

3.4.12 When a target appears on the radar display and, in the case of automatic acquisition, enters within the acquisition area chosen by the observer or, in the case of manual acquisition, has been acquired by the observer, the ARPA should present in a period of not more than one minute an indication of the target's motion trend and display within three minutes the target's predicted motion in accordance with 3.4.7, 3.6, 3.8.2 and 3.8.3

3.4.13 After changing range scales on which the ARPA facilities are available or resetting the display, full plotting information should be displayed with a period of time not exceeding four scans.

3.5 *Operational warnings.*

3.5.1 The ARPA should have the capability to warn the observer with a visual and/or audible signal of any distinguishable target which closes to a range or transits a zone chosen by the observer. The target causing the warning should be clearly indicated on the display.

3.5.2 The ARPA should have the capability to warn the observer with a visual and/or audible signal of any tracked target which is predicted to close to within a minimum range and time chosen by the observer. The target causing the warning should be clearly indicated on the display.

3.5.3 The ARPA should clearly indicate if a tracked target is lost, other than out of range, and the target's last tracked position should be clearly indicated on the display.

3.5.4 It should be possible to activate or de-activate the operational warnings.

3.6 *Data requirements.*

3.6.1 At the request of the observer the following information should be immediately available from the ARPA in alphanumeric form in regard to any tracked target:

.1 Present range to the target;

.2 Present bearing of the target;

.3 Predicted target range at the closest point of approach (CPA);

.4 Predicted time to CPA (TCPA);

.5 Calculated true course of target;

.6 Calculated true speed of target.

3.7 *Trial manoeuvre.*

3.7.1 The ARPA should be capable of stimulating the effect on all tracked targets of an own ship manoeuvre without interrupting the updating of target information. The simulation should be initiated by the depression either of a spring-loaded switch, or of a function key, with a positive identification on the display.

3.8 *Accuracy.*

3.8.1 The ARPA should provide accuracies not less than those given in paragraphs 3.8.2 and 3.8.3 for the four scenarios defined in Annex 2. With the sensor errors specified in Annex 3, the values given relate to the best possible manual plotting performance under environmental conditions of plus and minus ten degrees of roll.

3.8.2 An ARPA should present within one minute of steady state tracking the relative motion trend of a target with the following accuracy values (95 percent probability values):

Scenario/Data	Relative course (degrees)	Relative speed (knots)	CPA (n.m.)
1	11	2.8	1.6
2	7	0.6	.....
3	14	2.2	1.8
4	15	1.5	2.0

3.8.3 An ARPA should present within three minutes of steady state tracking the motion of a target with the following accuracy values (95 per cent probability values):

	Relative course (degrees)	Relative speed (knots)	C.P.A. (n.m.)	TCPA (mins)	True course (degrees)	True speed (knots)
Scenario/data:						
1	3.0	0.8	0.5	1.0	7.4	1.2
2	2.3	.3	.....	.....	2.8	.8
3	4.4	.9	.7	1.0	3.3	1.0
4	4.6	.8	.7	1.0	2.6	1.2

3.8.4 When a tracked target, or own ship, has completed a manoeuvre, the system should present in a period of not more than one minute an indication of the target's motion trend, and display within three minutes the target's predicted motion in accordance with paragraphs 3.4.7, 3.6, 3.8.2 and 3.8.3.

3.8.5 The ARPA should be designed in such a manner that under the most favorable conditions of own ship motion the error contribution from the ARPA should remain insignificant compared to the errors associated with the input sensors, for scenarios of Annex 2.

3.9 *Connexions with other equipment.*

3.9.1 The ARPA should not degrade the performance of any equipment providing sensor inputs. The connexion of the ARPA to any other equipment should not degrade the performance of that equipment.

3.10 *Performance test and warnings.*

3.10.1 The ARPA should provide suitable warnings of ARPA malfunction to enable the observer to monitor the proper operation of the system. Additionally test programmes should be available so that the overall performance of ARPA can be assessed periodically against a known solution.

3.11 *Equipment used with ARPA.*

3.11.1 Log and speed indicators providing inputs to ARPA equipment should be capable of providing the ship's speed through the water.

Annex 1 to Appendix A.—Definitions of Terms To Be Used Only in Connexion With ARPA Performance Standards

Relative course—The direction of motion of a target related to own ship as deduced from a number of measurements of its range and bearing on the radar. Expressed as an angular distance from North.

Relative speed—The speed of a target related to own ship, as deduced from a number of measurements of its range and bearing on the radar.

True course—the apparent heading of a target obtained by the vectorial combination of the target's relative motion and ship's own motion.[2] Expressed as an angular distance from North.

True speed—the speed of a target obtained by the vectorial combination of its relative motion and own ship's motion.[2]

Bearing—The direction of one terrestrial point from another. Expressed as an angular distance from North.

Relative motion display—The position of own ship on such a display remains fixed.

True motion display—The position of own ship on such display moves in accordance with its own motion.

Azimuth stabilization—Own ship's compass information is fed to the display so that echoes of targets on the display will not be caused to smear by changes of own ship's heading.

[2] For the purpose of these definitions there is no need to distinguish between sea or ground stabilization.

/North-up—The line connecting the center with the top of this display is North.
/Head-up—the line connecting the center with the top of the display is own ship heading.
/Course-up—An intended course can be set to the line connecting the center with the top of the display.
Heading—The direction in which the bow of a vessel is pointing. Expressed as an angular distance from North.
Target's predicted motion—The indication on the display of a liner extrapolation into the future of a target's motion, based on measurements of the target's range and bearing on the radar in the recent past.
Target's motion trend—An early indication of the target's predicted motion.
Radar Plotting—The whole process of target detection, tracking, calculation of parameters and display of information.
Detection—The recognition of the presence of a target.
Acquisition—The selection of those targets requiring a tracking procedure and the initiation of their tracking.
Tracking—The process of observing the sequential changes in the position of a target, to establish its motion.
Display—The plan position presentation of ARPA data with radar data.
Manual—An activity which a radar observer performs, possibly with assistance from a machine.
Automatic—An activity which is performed wholly by a machine.

Annex 2 to Appendix A.—Operational Scenarios

For each of the following scenarios predictions are made at the target position defined after previously tracking for the appropriate time of one or three minutes:

Scenario 1:
Own ship course—000°
Own ship speed—10 kt
Target range—8 n.m.
Bearing of target—000°
Relative course of target—180°
Relative speed of target—20 kt

Scenario 2:
Own ship course—000°
Own ship speed—10 kt
Target range—1 n.m.
Bearing of target—000°
Relative course of target—090°
Relative speed of target—10 kt

Scenario 3:
Own ship course—000°
Own ship speed—5 kt
Target range—8 n.m.
Bearing of target—045°
Relative course of target—225°
Relative speed of target—20 kt

Scenario 4:
Own ship course—000°
Own ship speed—25 kt
Target range—8 n.m.
Bearing of target—045°
Relative course of target—225°
Relative speed of target—20 kt

Annex 3 to Appendix A.—Sensor Errors

The accuracy figures quoted in paragraph 3.8 are based upon the following sensor errors and are appropriate to equipment complying with the Organization's performance standards for shipborne navigational equipment.[3]

Note.—σ means "standard deviation"

Radar

Target Glint (Scintillation) (for 200 m length target)

Along length of target $\sigma=30$ m. (normal distribution)

Across beam of target $\sigma=1$ m. (normal distribution)

Roll-Pitch Bearing. The bearing error will peak in each of the four quadrants around own ship for targets on relative bearings of 045°, 135°, 225° and 315° and will be zero at relative bearings of 0°, 90°, 180° and 270°. This error has a sinusoidal variation at twice the roll frequency. For a 10° roll the mean error is 0.22° with a 0.22° peak sine wave superimposed.

Beam shape—Assumed normal distribution giving bearing error with $\sigma=0.05$.

Pulse shape—Assumed normal distribution giving range error with $\sigma=20$ metres.

Antenna backlash—Assumed rectangular distribution giving bearing error ± 0.5 maximum.

Quantization

Bearing—Rectangular distribution ± 0.01° maximum.

Range—Rectangular distribution ± 0.01 n.m. maximum.

Bearing encoder assumed to be running from a remote synchro giving bearing errors with a normal distribution $\sigma=0.03°$.

Gyro compass

Calibration error 0.5°.

Normal distribution about this with $\sigma=0.12°$.

Log

Calibration error 0.5 kt.

Normal distribution about this, 3 $\sigma=0.2$ kt.

* * * * *

Appendix B.—U.S. Maritime Administration, Collision Avoidance System Specification

A collision system designed as supplement to both surface search navigational radars via interswitching shall be installed. The system shall provide unattended monitoring of all radar echoes and automatic audio and visual alarm signals that will alert the watch office of a possible threat. The display shall be contained within a console capable of being installed adjacent to the radar displays in the wheelhouse and may form a part of the bridge console.

Provision for signal imput from the ship's radars, gyro compass, and speed log, without modification to these equipments shall be made. The collision avoidance system, whether operating normally or having failed, must not introduce any spurious signals or otherwise degrade the performance of the radars, the gyro compass or the speed log.

Computer generated display data for each acquired target shall be in the form of a line or vector indicating true or relative target course, speed and both present and extrapolated future positions. Data shall be automatically displayed on a cathode ray tube or other suitable display contrivance sufficiently bright and unobstructed to permit viewing by more than one person at a time.

In addition to displaying the collision potential of the most threatening fixed and moving targets, the system shall be capable fo simultaneously showing land masses.

The system display shall include a heading indication and bearing ring.The system shall also have the capability of allowing the operator to select "head-up" and to cancel the vector or line presentation of any of the targets. The presentation shall be non-smearing when changing modes or display scales in order to permit rapid evaluation of the displayed data.

Target acquisition, for display data purposes, may be manual, automatic or both, as specified by Owner.

For any manual acquisition system the alarms shall be intitiated by a preset minimum range; and likewise for any automatic aquisition system the alarms shall be initiated by a preset minimum acceptable passing distance (CPA—Closest Point of Approach) and a preset advance warning time (TCPA—Time to Closes Point of Approach). Means shall be provided to silence the audio alarm for a given threat but the alarm shall resound upon a subsequent threat. The visual alarm shall continue to operate until all threats have been eliminated. If the collision avoidance system fails to perform as indicated above, after the system is set for unattended monitoring, the system shall produce both audio and visual warning alarms.

The system shall be capable of simulating a trial maneuver.

In addition to the target display, an alpha-numeric readout shall be provided which can present range, bearing, course, speed, CPA and TCPA for any selected target, either on the target display or by other display means.

The collision avoidance system shall be energized from the interior communications panel board in the wheelhouse.

The collision avoidance function may be incorporated in an integrated conning system, provided that failure of any other integrated system component will not degrade the collison avoidance function.

(92 Stat. 1471 (46 U.S.C. 391(a) as amended)).

W.E. Caldwell,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

February 19, 1980.

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[3] In calculations leading to the accuracy figures quoted in paragraph 3.8, these sensor error sources and migintudes were used. They were arrived at during discussions with national government agencies and equipment manufacturers and are appropriate to equipments complying with the Organization's draft performance standards for radar equipment (preliminary) (NAVXXII/WP.14), gyro compasses (NAV XXI/9, Annex X) and logs (preliminary) (NAV XXII/WP.15). Independent studies carried out by national government agencies and equipment manufacturers have resulted in similar accuracies, where comparisons were made.

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday).

This is a voluntary program. (See OFR NOTICE FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/APHIS		DOT/COAST GUARD	USDA/APHIS
DOT/FAA	USDA/FNS		DOT/FAA	USDA/FNS
DOT/FHWA	USDA/FSQS		DOT/FHWA	USDA/FSQS
DOT/FRA	USDA/REA		DOT/FRA	USDA/REA
DOT/NHTSA	MSPB/OPM		DOT/NHTSA	MSPB/OPM
DOT/RSPA	LABOR		DOT/RSPA	LABOR
DOT/SLSDC	HEW/FDA		DOT/SLSDC	HEW/FDA
DOT/UMTA			DOT/UMTA	
CSA			CSA	

Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator. Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408

REMINDERS

The items in this list were editorially compiled as an aid to **Federal Register** users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.

Rules Going Into Effect Today

Note: There were no items eligible for inclusion in the list of **Rules Going Into Effect Today.**

Listing of Public Laws

Last Listing February 14, 1980

This is a continuing list of public bills from the current session of Congress which have become Federal laws. The text of laws is not published in the **Federal Register** but may be ordered in individual pamphlet form (referred to as "slip laws") from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (telephone 202-375-3030).

H.R. 5176 / Pub. L. 96-191 General Accounting Office Personnel Act of 1980. (Feb. 15, 1980; 94 Stat. 27) Price $1.00.

S. 1300 / Pub. L. 96192 "International Air Transportation Competition Act of 1979". (Feb. 15, 1980; 94 Stat. 35) Price $1.25.